

B. Getty Oil Co., 1701 Pennsylvania Avenue NW., Washington, D.C. 20006.

A. Zientz, Pirtle, Morisset & Ernstoff, 3101 Seattle First National Bank Building, Seattle, Wash. 98154.

B. Confederated Tribes of the Colville Indian Reservation, P.O. Box 150, Nespelem, Wash. 99155.

D. (6) \$94.50. E. (9) \$154.36.

A. Zientz, Pirtle, Morisset & Ernstoff, 3101 Seattle First National Bank Building, Seattle, Wash. 98154.

B. Lummi Tribe of Indians, P.O. Box 309, Metlakatla, Wash. 98268.

D. (6) \$232. E. (9) \$152.68.

A. Zientz, Pirtle, Morisset & Ernstoff, 3101 Seattle First National Bank Building, Seattle, Wash. 98154.

B. Makah Indian Tribe, P.O. Box 115, Neah Bay, Wash. 98357.

D. (6) \$260. E. (9) \$186.85.

A. Zientz, Pirtle, Morisset & Ernstoff, 3101 Seattle First National Bank Building, Seattle, Wash. 98154.

B. Northern Cheyenne Tribe, Inc., P.O. Box 128, Lame Deer, Mont. 59043.

D. (6) \$36.

A. Zientz, Pirtle, Morisset & Ernstoff, 3101 Seattle First National Bank Building, Seattle, Wash. 98154.

B. Suquamish Indian Tribe, P.O. Box 556, Suquamish, Wash. 98392.

D. (6) \$128. E. (9) \$161.97.

A. John L. Zorack, Air Transport Association of America, 1709 New York Avenue, Washington, D.C. 20006.

B. Air Transport Association.

D. (6) \$1,291.50. E. (9) \$494.65.

A. Charles O. Zuver, American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

B. American Bankers Association, 1120 Connecticut Avenue NW., Washington, D.C. 20036.

D. (6) \$3,000. E. (9) \$139.66.

## EXTENSIONS OF REMARKS

### THE BUCK HAS STOPPED

#### HON. JESSE A. HELMS

OF NORTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, November 25, 1974

Mr. HELMS. Mr. President, on a number of occasions heretofore, I have shared with my colleagues the wisdom and forthrightness of a distinguished broadcaster of my State, Mr. Jack Rider, of Winston, N.C., who operates Stations WFTC and WRNS, the latter being an FM station.

Today, Mr. President, I submit for the consideration of all Senators and others, a broadcast editorial by Mr. Rider aired on November 7. It is my judgment that Mr. Rider spelled out an important message to the Congress of the United States. We will fail to heed it at our, and the country's peril.

I ask unanimous consent that Mr. Rider's editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### EDITORIALLY SPEAKING

(By Jack Rider)

With the majorities that the Democrats now have in both houses of congress, the buck has stopped where it has belonged all the time: Squarely in the lap of Congress.

Man has a way of rising to the press of necessity; let us all hope and pray that this will be true of Congress now in its most challenging hour. For a generation it has been the custom of Congress to scream at the White House, either begging for direction or placing the blame. Now the public has been informed in no uncertain way that Congress has the power. It remains to be seen if Congress has the wit and the will.

Several years ago Senator Sam Ervin read to a Congress that neither listened nor comprehended that brief poem of Rudyard Kipling's: "The Copy Book Maxims," which says in the rich measured tones of that great Victorian poet, that man cannot ignore the rule of two and two making four. And now with all of these wild economic chickens coming home to roost because Congress has ignored those copy-book maxims, we will have to pay the high price of this neglect. But we can pay it, as individuals and as a nation; but the price will be less in the long run if Congress will shoulder the great responsibility of leadership imposed upon it by our constitution.

There are many who say Congress cannot function—that it is hamstrung by seniority, mediocrity and the bureaucracy. Now the

options are clear: Congress will HAVE to function, or our system is in its gravest peril. From this congressional mandate forward, the immediate decisions will determine whether our country remains a truly free republic or moves more rapidly down the path to totalitarian state socialism. And the republic will only survive if Washington grows less and the county courthouse and city hall become more in the scales of both justice and political activity. Central government can try; but it cannot successfully be free or responsive to the best interest of the people in a large and diverse land such as ours.

### TURNED THE BALL OVER TO CONGRESS

#### HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. VAN DEERLIN. Mr. Speaker, the opinion is widespread that the recent elections have, in sporting parlance, "turned the ball over to Congress," and told the legislative branch to run with it.

The feelings of those who believe that it is up to Congress to come up with a constructive program to meet the twin problems of inflation and recession are exceedingly well-expressed in a thoughtful letter from one of my constituents in San Diego, Mr. Victor Schulman. I insert his letter in the Appendix of the RECORD:

SAN DIEGO, CALIF.,  
October 25, 1974.

HON. LIONEL VAN DEERLIN,  
House of Representatives,  
San Diego, Calif.

DEAR VAN: For whatever consideration you may wish to give to my views concerning our national economy I should like to present them to you. As you know, I am certainly not an economist but, at the same time, have the practical responsibility for the operation of a medium size business and its approximately 80 employees. A month or so ago I would have said 90 employees and our having to terminate about 10% of our work force is a fairly striking example of what the situation is to the extent that my business is at all representative of medium size retailing generally. Unfortunately, President Ford's position that we are not in a recession does not change the actuality of the situation nor does the seeming lack of creative leadership on the part of the Congress.

Frankly, my chief concern is not just the

state of our economy but what I have to believe would be the ultimate consequence of inactivity, that being the loss of our present political system. I think that it would be naive to expect that in the event we are unable to halt our slide into a deeper recession the public of today would peacefully accept the conditions of the early thirties with bread lines, apple selling etc. Even if I were to be considered an alarmist in this regard and such possible consequences most remote, I don't see how they can be completely disregarded and, as a matter of fact, on several recent occasions I have read in the small print of our press similar concerns by those far more knowledgeable than I. Perhaps better a possible false alarm than none at all.

To return for the moment to my own business situation but not for any self serving reason, I have read reports that Mrs. Virginia Knauer has had distributed some 6,000 spot announcements to radio stations to the effect that consumers should refrain from purchasing consumer goods to the maximum extent possible and singling out automobiles, appliances and furniture. And, thanks to her department and similar admonitions by President Ford, it's working! Soon, we will have inflation replaced by a full blown depression. Another example of the old saw about the operation being a success although the patient died.

I know that I cannot be near as knowledgeable as the Administration economists but it seems to me that they are mistaken about the causes of our inflation in continuing to think in the classic terms of demand vs. supply. Undoubtedly this is true in the case of some basic commodities but, on the whole, I submit that it is in reality a cost push type of inflation which will not be too affected by a lessening of demand such as advocated by the Administration. From recent reports that I have read, our over-all production has decreased and this alone should indicate that there is ample supply potential so that it is not a matter of too many people chasing too few goods that has caused our inflation. Rather, it is the uncontrolled cost increases which cause further inflation which in turn decreases demand and eventually results in stagflation and depression.

And now, if I have not already lost you, what is the answer, if any? I would propose that Congress immediately legislate a vigorous far reaching program of controls over prices, wages, dividends and interest together with an excess profits tax. I believe that I know of the many reasons given for controls not being effective and the contention that they will not work now because they have not worked in the past, will result in black markets etc. etc. Again, I am not an economist, but I don't believe that our most recent controls were a valid test of their effectiveness. I say this for the reason that in any situation where there is a half hearted at-

tempt to attain an objective there will usually be a corresponding lack of success. Moreover, as with any program, there has to be a strong compliance authority with teeth to do the job. I have heard that controls will require a bureaucracy costing a billion dollars a year. If so, is this not preferable to the consumers and government alike having to spend many billions more for the same products and services? Would it not be better for me as a consumer to incur an added cost of \$100.00 as my share of the cost of a controls bureaucracy if I can thus save \$1,000.00 on my purchases? In fact, in the absence of controls, how can our government expect to be able to afford the armaments necessary to keep us militarily strong?

Insofar as black marketing is concerned I don't consider this as a major possibility because, as previously stated, we would not have the war time situation of demand being far greater than supply. In fact, our problem now is to stimulate demand so that we can make fuller use of our productive capacity. Obviously, there would be, under any system of controls, certain inequities, spot shortages etc. but these should not invalidate the soundness of the entire program.

Quite incidentally but one of my pet piques is the lack of representation, to my knowledge, on various economic councils of businesses anywhere near our size. I read of executives of our largest corporations, labor leaders etc. But I have to wonder if the government is not missing the input from the type of person who signs 50 to 100 pay checks a week, one who has some practical knowledge of simple economics and is close enough to his business to have a firing line perspective of conditions.

I could go on but if I did so I would either be laboring points or getting into areas in which I have even less expertise. In summary, therefore, I should like to strongly advocate that there be a realistic reappraisal of our economic situation and that Congress take the initiative in instituting forceful and appropriate action rather than continuing in our present situation of the Executive Branch advocating an unrealistic palliative program and the Legislative Branch contesting the same without advancing its own constructive legislation.

Best personal regards,

VICTOR J. SCHULMAN.

# DONALD KING, PROMOTER EXTRAORDINAIRE

## HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. STOKES. Mr. Speaker, the city of Cleveland is rapidly gaining the reputation of the black sports capital of the world. Just weeks ago our city made Frank Robinson the first black manager in major league baseball history. Then, on October 29, 1974, another event occurred which no doubt will be regarded as one of the greatest moments in sports history, and a black Cleveland made it happen.

Donald King was the only boxing promoter in the world capable of putting on what has been called "the fight of the century." Cleveland's own Donald King earned himself a page in the annals of the ring when he united George Foreman and Muhammad Ali for the world championship heavyweight fight in Kinshasa, Zaire.

This was the match they said would never happen. It took \$11½ million and the charisma of Donald King to make it happen. Donald King, the only black big league boxing promoter in the world thus became the promoter of the biggest money fight the world has ever seen, and the first heavyweight title bout in a free African nation.

I take this opportunity to call to the attention of my colleagues a recent article about Donald King. This article appeared on the front page of the Cleveland Press on October 23, 1974. I invite the attention of my colleagues to the feats of Donald King, Cleveland's promoter extraordinaire:

FROM HERE TO ZAIRE—THE SAGA OF DONALD KING

(By Bob Schlesinger)

"This place is just fan-tastic."

The voice, booming through the telephone from the other side of the world, sounded as though it were in the next room. That's probably due to the miracles of modern technology—communication via satellite and all that.

But for anyone who knows the speaker, Donald King, it comes as no surprise.

Donald King will be heard.

Donald King, promoter extraordinaire, a Cleveland, sounds like the head of the Growth Assn. for the nation of Zaire and the city of Kinshasa.

"This is a great country, the land of opportunity, boundless natural resources just waiting to be harvested. All kinds of investment opportunities, fortunes just waiting to be made by the bold."

"Tell my mayor, Ralph Perk and my Council president, George Forbes, that I want them to come over here. I don't want Cleveland missing out on this opportunity."

Zaire and Kinshasa, formerly the Belgian Congo and Leopoldville, are little known to most Americans, certainly to most white Americans.

That's changed considerably, however, since the sports pages carry bulletins about the upcoming "Greatest Fight Ever," the heavyweight title bout between champion George Foreman and former champion Muhammad Ali.

It will take place on Oct. 29 at 10 p.m. Cleveland time, which will be 3 a.m. on Oct. 30 in Kinshasa.

And if the readers happen also to learn that this is a massive African country—larger than Texas and Alaska combined—that it has six percent of the world's copper, more than 45% of its cobalt and industrial diamonds, that it is, in King's words "the cleanest city, with the world's friendliest people," well, that's how come the fight is going to take place there.

That, and because Cleveland Donald King happened almost single-handedly to put it there.

There are many ironies in the fact that Donald King has turned out to be the United States boxing world's personal ambassador to Zaire's President Mobutu, that King is the man who seems to be calling the shots right now for both the government of Zaire and the fighters, that he made the match that the boxing world said would never happen.

A reporter suggested about a year ago that if King strolled through an East Side ghetto with George Forbes on one arm and Arnold Pinkney on the other, the most often heard question of the residents would be, "Who are those dudes with D.K.?"

When King was sitting with a reporter in an East Side night club about six months ago, a young couple approached shyly and introduced themselves, looking at him in awe

as they would if he were a popular movie star or sports hero.

"Been hearing about you for years and years. We just wanted to find out what you were really like," the young man finally explained.

King's fame, however, was not as a boxing promoter, until very recently.

A decade ago he was known as Donald (The Kid) King, rising junior executive in the policy business, known more dramatically as the numbers racket.

Rising toward the top of that business required not only a display of administrative skills and leadership, but also considerable determination, the kind that keeps a guy going after he is wounded by a close range shot gun blast, had his house bombed and his saloon torched.

In the best Horatio Alger tradition, however, King rose to the top of his chosen profession, to a point where the local police indicated that he was "one of the main men" if not "THE main man" of the local numbers game.

King does not deny his former profession. (The major debate between him and the police is that he insists he has retired and they insist he is still calling the shots, at least as kind of an absentee board chairman.)

"There's nothing immoral about the numbers game," King insists. "A large number of blacks play the numbers just the way a large number of whites bet the football pools or bet with their bookies. And the stock market is just another kind of numbers game."

"There are an awful lot of lawyers and doctors around town who got their start from proceeds from the numbers game," King says.

There are a great many stories around town about how King has been generous with his money, giving young kids, including some now-famous entertainers and politicians, a helping hand.

Also, just like the bookie, the policy man must be someone whom his clientele trusts, some one they feel sure will return to pay them off if they hit on the elusive winning number.

"That's something about which I take great pride," King says. "Even my detractors will tell you that my word is always good."

A matter about which King takes no pride is an event which occurred at the corner of E. 107th St. and Carnegie Ave. in 1967, an incident about which the facts are still in dispute.

What is certain is that King and a small-time gambler named Sam Garrett had words about a debt of \$300, a fight ensued, and King landed some punches and kicks, causing wounds from which Garrett died a few days later.

"It was a clear case of self defense," King insists. "He jumped me and I defended myself. But coming about the time of the Hough incidents there was no way the jury was going to acquit a black man pictured by the prosecutor as a racketeer who drives big cars and wears flashy clothes."

The testimony of eyewitnesses largely backs up King's account. At the trial they said that Garrett was the initial aggressor and that although King was holding a gun, in one hand, which he took from his car after being attacked, he beat Garrett only with the other hand.

The jury came back with a second-degree murder verdict but Judge Hugh A. Corrigan reduced the sentence to manslaughter, explaining that the element of intent to kill mandatory for the second-degree murder conviction, was lacking.

Police who were involved with the case, however, insist to this day that the witnesses were somehow persuaded to change their testimony and that King got off too lightly.



"It's a matter about which I feel great contrition, even though, as many times as I've gone over the thing in my own mind, I don't know what I could have done besides defend myself," King says. "Still, the death of a man is always an unmitigated disaster and not something that can be taken lightly."

King spent four years at the Ohio Penitentiary, "reading and taking correspondence courses to retain my sanity". He memorized long passages of poetry from John Donne, from the bible, from the works of Shakespeare. These passages frequently appear in his conversation these days.

"Also, I decided to live within the law. Where the real villains are," he says.

It was just a few years ago that King drifted into boxing, as the manager of a string of fighters starring heavyweights Earnie Shavers and Jeff Merritt and light heavyweight Ray Anderson, as the promoter of a benefit exhibition by Ali for Forest City Hospital and finally as promoter of a full-scale professional show which drew a surprisingly large crowd.

Not coincidentally, Merritt was a self-confessed former drug addict and thief, while Anderson was a self-confessed former pimp.

"I want to give them a chance to go straight just as I have given myself the same chance," King said.

King took good care of his fighters, feeding them daily steaks, spending money on them lavishly, setting up a training headquarters for them at his Ashtabula County farm.

But they didn't do so well by him. Shavers scored a big knockout victory over former champion Jimmy Ellis at Madison Square Garden, but was destroyed by Jerry Quarry in one round at the Garden in a fight which could have earned him a title bout.

Merritt was sensational in knocking out Ron Stander at the Arena but then was KO'd by an unknown. Anderson threw recklessness to the winds, carefully being beaten without getting hurt a couple of times.

So there stood King, with two successful promotions behind him but no contenders to promote.

At about the same time, King became very unhappy with two key people in boxing. Madison Square Garden promoter Teddy Brenner upset him by refusing to give Shavers another bout at the Garden in which he might regain his lost status.

And Bob Arum, the lawyer who handled the Garden's closed circuit TV arrangements and Ali's legal affairs really angered King by holding up Shaver's purse for the Quarry fight until King paid Arum the money for the closed circuit showings here, which were promoted by King.

"He never even gave me the chance to pay him, just treated me as though I was intending to cheat him, which I never was," says King. "That really bothered me."

Thus evolved King's dramatic plan to become the first black man to promote in boxing big leagues and, at the same time to do unto Brenner and Arum worse than they had done to him.

He would put together the dream fight—Ali vs. Foreman—and it would not be staged in New York and Arum would have nothing to do with it.

At first, armed with a million-dollar letter of credit from Cleveland construction man and local auto race track magnate Carl Lombardo, King sought to bring the fight here.

But the obstacles were many.

Ali, who has convinced many people that he still is champion by merely repeating that claim enough times, remains the biggest draw in boxing. He was expected to pick up a few more easy paydays against lesser fighters before risking his reputation against the dangerous Foreman.

And that was okay with Foreman's cautious handlers, since they had the younger man and they figured that age would slow

down Ali more and more each day. The inevitable showdown was delayed.

But King knew exactly what pitch to make to whom, and when to do it.

First he went to Ali's manager, Herbert Muhammad, told he had been mistreated by Arum, how Arum really didn't respect Ali, and how he, King, deserved the right to put on the fight.

When Herbert Muhammad balked and tried to defend, Arum, King frantically quoted to Herbert from the teachings of his father, the Honorable Elijah Muhammad. "He teaches that you must help the black man. If a black man can do the job, he says that you have to hire him before a white man," King insisted.

King prevailed and Herbert Muhammad soon proceeded to convince Ali that King must be given the opportunity.

So King flew off to California where Foreman said quickly, "Ali won't fight me."

"I can deliver him," King insisted. "Here's a chance to show the whole world that black men together can succeed like no one ever believed we could. This is my promotion, and you get \$5 million, like Ali."

Foreman agreed.

Then came a worldwide search for backing. \$11.5 million in all. Cleveland fell out of the picture. The search ended when King convinced representatives of Zaire's government to kick in \$10 million for "the biggest event in the history of the world".

The meeting which clinched the deal took place in Zaire, after which that government's representative wired home, "I recommend this fight. I have found a very strong black man."

And King knew for sure he had the blessings of Zaire's president when Joseph Mobutu told him, "May you catch a great animal and ride it across the heavens."

The fight, of course, was postponed from Sept. 24 to the new date due to a cut over Foreman's eye incurred in a sparring session.

That has caused some problems, since some of the closed circuit locations were unavailable for the new date and some of the tourists and reporters who were already in the country when the postponement was announced don't intend to come back.

"Actually, the situation is well in hand. My only regret is that I miss my wife and children back home," King insisted. "We've actually made many improvements, cleaned things up and improved the electronic communications during the delay."

"Muhammad and George are determined this is going to be a success. They're each in great shape and positive they'll win," King added.

And what of the reports that the rainy season will descend upon Zaire this week, causing possible further delays?

"No truth to that. The real rainy season doesn't begin for several weeks. And we've constructed a giant canopy, which will extend over the ring and much of the crowd," King reported. "Just in case."

Certainly, the fight will take place eventually. And after that, what's next for Donald King?

"I'll be coming home to Cleveland. And we're going to put on some concerts and some fights. Tell the people there. I'm really going to make things happen in Cleveland."

Going on past performance, there's no reason to believe that he won't.

CONGRESSIONAL RECORD an editorial from the St. Croix Avis of November 15, 1974, praising the radio broadcasters on the U.S. mainland who covered the floods which recently ravaged the Virgin Islands. I commend that editorial to the attention of my colleagues:

WELL DONE

The giants of radio broadcasting on the U.S. mainland—NBC, CBS, and ABC with their huge staffs of newscasters and technicians—could not have done a more commendable job of covering the Virgin Islands flood situation on Tuesday than three local radio stations. With the cooperation of the Virgin Islands Telephone Corporation, WSTX St. Croix, WTVI St. Thomas, and ZBVI Tortola joined in a network which for twelve hours—from six A.M. to six P.M.—did a fantastic job of reporting.

Minute by minute, with rarely a lapse, hour upon hour the newscasters on the three islands (later joined by Puerto Rico) kept up a running account of the storm's ravages, warning residents where flooding was taking place, where roads were blocked and passing on over the air vital information phoned in by residents requiring assistance. And the requests numbered hundreds.

It was truly a remarkable performance by all concerned, one which the community will long and gratefully remember. Newsmen and women aside from those involved in electronic media such as radio take their hats off to WTVI, WSTX and ZBVI for a job so well done under grueling and unusual circumstances. It was professional broadcasting at its best. And without the joint effort communications between the islands would have been hampered so severely that suffering on the part of individuals and families for lack of assistance would have reached a stage far beyond what it did. And beyond that, perhaps losses of life.

There are not strong enough superlatives to describe the service rendered.

#### THE U.S. NAVY: SECOND TO ONE?

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. LANDGREBE. Mr. Speaker, I wish to call the attention of my colleagues to an editorial that appeared in the September 1974 issue of *Seapower* concerning a matter that is vital to the survival of our Nation as an independent entity. "Jane's Fighting Ship," the British compendium issued annually, has some very disturbing things to say about the comparative strengths and weaknesses of the navies of the United States and the Soviet Union. I believe that this editorial, the material excerpted from "Jane's Fighting Ships," and Adm. Hyman Rickover's recent remarks about the state of the U.S. Navy ought to alarm every Member of Congress. If through our inaction we fail to provide an adequate defense for the American people, we shall be guilty of a most serious crime, for the first duty of Government is to protect and defend its citizens.

I insert the editorial, "A Desperately Heavy Burden," into the RECORD at this point, and I hope that each Member of Congress will read it carefully:

[From *Sea Power* magazine, September 1974]

A DESPERATELY HEAVY BURDEN

In national security matters, as in the physical world, it is often possible to see

#### VIRGIN ISLANDS FLOODS

### HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. DE LUGO. Mr. Speaker, I would like to take this opportunity to include in the

things more clearly from a distance rather than from up close.

Which is one reason, we suppose, why the yearly arrival of "Jane's Fighting Ships," the British annual long regarded as "the bible of the world's navies," arouses such interest in naval circles in this country. The view of the U.S. Navy, as seen from the other side of the Atlantic, it seems apparent, provides a more fascinating perspective than a similar view of the same Navy from the vantage point of the E-Ring.

There's another factor, of course: the supposed objectivity and credibility of the disinterested observer. If the U.S. Secretary of the Navy and the U.S. Chief of Naval Operations, in other words, tell us the Russians are coming, they're being self-serving. If the editor of "Jane's" tells us the same thing, he's merely reporting the facts.

Well, the 1974-75 edition of "Jane's"—once again edited by the admirably articulate Captain John E. Moore, Royal Navy (most capably assisted by Mr. Norman Polmar, who edited the sections on the United States, the Philippines, South Korea, South Vietnam and Taiwan)—reiterates some rather grim facts about the U.S. Navy, as well as some cheery news about the Soviet Navy. Cheery, that is, if your name happens to be Gorshkov or Brezhnev.

Looking at the Soviet Navy first, as Captain Moore does in his characteristically candid foreword to the 1974-75 edition, one finds a number of "great strengths" as well as a few, a very few, "possible weaknesses"—which, depending on circumstances, might even be "important weaknesses."

The current list of Soviet naval "weaknesses," as compiled by "Jane's," is distressingly short: "manpower and, consequently, technical maintenance, submarine silencing, anti-submarine operations, shipborne aircraft and custom-built fleet supply ships, although this last is now being remedied."

The Soviet Navy's "great strengths," however, are much more numerous and of a significantly more formidable magnitude. A few examples, of many cited:

"The Soviet Navy leads the world in sea-borne missile armament, both strategic and tactical, both ship- and submarine-launched. Their shore-based air-force is second to none, they have large mine-warfare and a considerable amphibious capability."

The USSR's submarine force, already the world's largest—and probably the most powerful as well—continues to grow in quality and numbers. The new "Delta"-class ballistic missile submarine is now operational, and the "Delta-II"—"a giant amongst big submarines"—and two additional new classes are on the way. The Delta-II, incidentally, is expected to carry "at least" 16 SS-N-8 missiles, which have "a range of 4,200 nautical miles, giving them a capability of covering the whole of North America and the rest of NATO without the parent submarine leaving the Norwegian Sea."

The Soviet surface Navy, for the first time ever now outnumbered the U.S. surface Navy, is also coming into its own. Among the Soviet superstars: (1) the KRIVAK-class destroyer, which "is more than a match for any Western destroyer and, in any event, could outrun anything opposed to her"; (2) the KARA-class cruiser, possessed of "formidable power with her own helicopter and double the strength of missile-power possessed by the KRIVAKs—a single vessel of the KARA class could well engage a squadron of attacking aircraft"; and (3) the KURIL-class aircraft carrier, which, carrying both V/STOL (vertical/short takeoff and landing) aircraft and helicopters, "will provide a much-needed strengthening of the 'balance' in the Soviet fleet."

What is more ominous than present Soviet naval capabilities is the probability of even more powerful capabilities in the future. The

Soviet research and development program, Moore observes, has increased "by well over half in the last five years."

Moore's commentary about "the other super-power Navy," the U.S. Navy (once known, in an expression which had become trite with usage, as a Navy "second to none"), is good writing but poor reading.

"As the predominant partner in the NATO naval forces, a partnership in which too many of the other nations are below their numerical commitments, with fleets oriented to national needs," Moore writes, "it bears a desperately heavy burden."

Part of the burden is numbers. The U.S. Navy has been cut almost in half within the past six years. The decision to scrap older vessels in order to fund the fleet of the future was a conscious one, and probably a wise one. A "calculated risk," former Chief of Naval Operations Admiral Elmo R. Zumwalt used to say, to mortgage today to pay for tomorrow. If it works, the risk will have been well worthwhile. If it works.

Another serious defect appears in U.S. technological capabilities, or lack thereof. The U.S. Navy, Moore says, is afflicted with a "serious gap" in surface-to-surface missile armament, and an "inferior balance" in nuclear submarines. Another gap, equally serious, perhaps, was "left by the disposal of the specialized anti-submarine carriers." (Illustrating the dimensions of the problem that exists when the other side gets the jump in an important area of technology is the fact that U.S. nuclear attack submarines do not even now possess the anti-ship missile capability "such as the USSR has had since the first 'Whisky' class modification some 15 years ago.")

The big problem for the U.S. Navy, however, is much more than numbers, and much more than technology. It is a matter of national will, which in our opinion translates into a matter of national education—about the need for a Navy, and the needs of the Navy. "Of those countries to whom a navy is today essential," Captain Moore writes, "the United States of America is one of the foremost, and the U.S. Navy is probably also in the van of those subjected to misinformed, illogical and irrational attacks by some of those who depend upon it most."

Amen, we say. In a democracy it is not possible to develop and maintain the strong oceanic forces necessary for national survival without the confidence and the backing of the general public, and of the public's elected representatives in Congress. But achieving that confidence, obtaining that backing, is no easy matter. It is, indeed, a desperately heavy burden.

#### SANTA BARBARA COUNTY FEDERATION OF REPUBLICAN WOMEN

#### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. LAGOMARSINO. Mr. Speaker, I would like to take this opportunity to pay tribute to a remarkable organization within my congressional district, the Santa Barbara County Federation of Republican Women, which this year is celebrating the 10th anniversary of its founding—a decade which has expanded the federation to include 17-unit clubs covering the entire area of Santa Barbara County. Today, the membership of this most effective group of politically active citizens exceeds 2,000.

The goals of the federation are those by which our system of government has flourished—civic awareness and responsibility; honesty and integrity; patriotism.

Beginning with its first president, Mrs. Arthur Turck, through the term of its current president, Mrs. William H. N. Bryant, the federation has consistently encouraged a well-informed membership, one prepared to ably assist and serve the community. In its decade of service, the federation has indeed benefited the community, encompassing through its many and varied works all ages and population segments, as well as all localities of Santa Barbara County. It is the dedication provided by leaders such as Mrs. Clifton Lewis Browne, Mrs. Guy Calden, Jr., Mrs. Glenn Cackley, and Mrs. Thomas Huston which has given the federation the encouragement and support attributable to its present success. However, it remains the sustaining membership, loyal to the goals of the federation, which provides the clarity of purposes and effectiveness of the organization.

In their pursuits, these Republican women have fostered community interest and participation in political affairs both local and nationwide. In addition, they have sponsored civic and educational projects, most notable being events to promote awareness of our rich national heritage. Most recently, in September of this year, the federation established a "Helen Cackley Memorial Scholarship." In memory of this outstanding president who maintained a deep and continuing interest in young people, the award will be presented to a deserving applicant pursuing a career in political science.

My relationship with the Santa Barbara County Federation of Republican Women has been highlighted by their much appreciated support for my representation in the California Legislature and here in the House of Representatives. However, it is on behalf of the residents of the 19th Congressional District that I thank them and commend them for their broad and unfailing sense of civic responsibility.

#### BROWN'S BLUNDER

#### HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. DRINAN. Mr. Speaker, I attach herewith a significant editorial from the Worcester Telegram, an influential daily, read by many of the people in my congressional district.

This editorial points out the folly of the anti-Semitic remarks enunciated by General Brown, the Chairman of the Joint Chiefs of Staff. The editorial follows:

#### BROWN'S BLUNDER

Gen. George S. Brown, chairman of the Joint Chiefs of Staff, says that he is not anti-Semitic despite his remarks last month that "Jewish money" owns the banks and the newspapers in this country and another oil



embargo might convince Americans to "get toughminded enough to set down the Jewish influence in this country and break that lobby."

The general now says that this response to a question tried to take in too much ground and "just came out too damn poorly." That is an understatement.

These are not the sort of comments so easily brushed aside. The chairman of the Joint Chiefs is too important and powerful a figure to be taking stands that will infuriate millions of Americans and cause tens of millions more to question his intellectual judgment, not to say his code of morality. It is hard to imagine a more divisive and disruptive idea than the point he seemed to be trying to make.

If the general was concerned about the undue influence being exerted on Congress by supporters of Israel, he should have phrased his thoughts more precisely. If Congress is being weak-kneed in the face of such pressures, then Congress should be blamed. Throughout American history, all sorts of groups—both foreign and native—have exerted pressures on Congress for causes both good and bad. There is nothing wrong in that.

The steady support that the United States has given Israel is not due to the "Jewish influence" in this country, in our opinion. Although most Jewish Americans naturally side with Israel, much as Irish-Americans, Italo-Americans, Polish-Americans, etc. side with their ancestral homelands on occasion, the reasons for U.S. support are far more complicated—and praiseworthy. Not only do most Americans feel a strong sense of commitment to continued Israeli existence, but our government, to be pragmatic about it, wants a strong Israel in the Middle East to counter Soviet influence in the area.

Whether Gen. Brown has seriously damaged his effectiveness as chairman of the Joint Chiefs is problematical. Both President Ford and Defense Secretary Schlesinger have criticized Brown's comments and he has made a public apology. The apology will help if it reflects a genuine understanding on Brown's part. If not, his effectiveness in his post may have to be reassessed.

#### LATVIAN INDEPENDENCE

### HON. JAMES J. DELANEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. DELANEY. Mr. Speaker, November 18, marked the 56th anniversary of the Latvian Declaration of Independence. Yet, for the last three decades Latvia has been a country in bondage. Since 1940 the Soviet Union has denied its people the personal freedoms and the most basic human rights we so often take for granted.

Latvia is a small country, but its people are proud and determined. Their loyalty and desire for freedom have more than passed the test of time. We can do no less than to stand firm in our support for their freedom and self-determination.

I join with my colleagues and scores of alert private citizens in expressing the hope and prayer that the new year brings both freedom and independence to Latvia.

#### MENTALLY RETARDED HURT BY STAGFLATION

### HON. GILLIS W. LONG

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. LONG of Louisiana. Mr. Speaker, our current economic problems have brought about increased cries to cut our Federal budget—and I support efforts to reduce Federal spending when it is in the best interests of the Nation. But I suggest that we must be careful not to cut Federal programs that will cause undue hardships for those who already are suffering from stagflation. And in my opinion, the people who are hurt most by stagflation often are those who are the most "invisible."

For example, the mentally handicapped already are a disadvantaged people—and if Congress should reduce spending in those programs which help the mentally retarded, I believe that we would do a great disservice to a great many Americans.

Mr. Marion P. Smith, president of the National Association for Retarded Citizens—NARC—made this point quite succinctly when he spoke to the minisummit on health, education, and welfare of the White House Conference on Inflation. I agree with Mr. Smith on this point and because of Mr. Smith's leadership as a champion of the mentally retarded—that I have inserted his remarks to the minisummit into the RECORD:

#### REMARKS

(By Marion P. Smith, president, National Association for Retarded Citizens, before HEW Conference on Inflation, September 19, 1974)

As a parent of a retarded child and spokesman for the National Association for Retarded Citizens and some six million retarded citizens, their families and relatives, I trust that priority preferences will not further damage those least able to defend themselves against inflation.

As a citizen, I am anxious to help fight inflation, but as a pragmatic businessman, I know that "rehabilitation doesn't cost, it pays." Every dollar expended in habilitation of an 18-year old male with retardation generates \$14 in future earnings. We can reduce the incidence of retardation by 50% by utilizing present knowledge at an estimated saving of \$900,000 over the lifetime of a male retarded citizen in cost of care and salary loss.

Our actions must not have a detrimental effect upon retarded citizens or the economy, for, when support services are withdrawn or cut and when income maintenance is withdrawn or cut, there is no saving in reality. Rather, the end result is an increase in welfare and human misery.

The President's Committees on Mental Retardation and on Employment of the Handicapped have prepared lists of the impact of inflation on the retarded and the handicapped respectively. These are attached to our statement as they deserve inclusion in the record.

NARC believes that high priority programs for retarded citizens need to be kept in place, not cut back or withdrawn in the sweet names of "economy" or "fighting inflation." This may sound like I favor economy for all programs except our own, but retarded citi-

zens are among our most disadvantaged and can stand no additional damage.

Developmental disabilities services are critical and must not be endangered, nor should education for the handicapped and vocational rehabilitation be fund-reduction targets. The cost of a lifetime of institutionalizing a retarded person approximates a half million dollars. Using development disabilities, education and vocational rehabilitation services now available will produce a productive retarded citizen at a cost of no more than 10% of institutionalization in most instances.

The cost benefit ratio in human and economic terms is possibly the best in today's Federal-State program. Prevention efforts need to be preserved since research at the National Institute of Neurological Diseases and Stroke and the National Institute of Child Health and Human Development has made it possible for infants born with retardation to receive dietary and other services which arrest further damage and set the child on a course of near-normal living. Each time maternal and child services gives pre- and post-natal care, we cut down potential retardation.

Where prevention is not possible, where research and social services can not arrest retardation, income maintenance and social service programs help families to better cope. Since the incidence of retardation is seven times higher among the poor, these programs need increases, not cut backs.

We have heard of public employment programs to be triggered by increased unemployment. NARC has proven through its on-the-job training program that thousands of retarded workers can be trained when CETA (Comprehensive Employment and Training Act) prime contractors join hands with us. We suggest this is more productive than public employment per se. CETA, combined with OJT (On-the-Job Training), can decrease unemployment and increase productivity.

As a possible aid in alleviating hardships of inflation, I believe the possibility of sheltered workshops receiving more contracts for goods and services under the Wagner-O'Day Amendments should be explored. As we step up Federal purchases from sheltered workshops, we help retarded workers, provided we do no damage to workers in the private sector who also produce goods and provide services to our government.

Our volunteers and staff are in a continuing dialogue with leaders at HEW and Labor. Our best brains have long been available to government. Our presence and your invitation indicates a partnership. We want to increase and expand our input, for in serving special groups like retarded Americans, our country and the world stands taller before God.

#### LEGISLATIVE HISTORY OF Mc-CARREN-FERGUSON ACT

### HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. CORMAN. Mr. Speaker, a letter and memorandum on the legislative history of section 3(b) of the McCarran-Ferguson Act, 59 Stat. 34 (1945). 15 U.S.C. 1013(b) were brought to my attention. Today, I would like to share them with my colleagues. Their author is the then chairman of the House Judiciary Committee and one of the great

legislators of all times, the Honorable Emanuel Celler.

The articles follow:

WEISMAN, CELLER, SPETT,  
MODLIN & WERTHEIMER,

New York, N.Y., November 15, 1974.

GEORGE D. DONNAHOE, Esq.,  
Hollywood, Calif.

DEAR MR. DONNAHOE: This has reference to your letter of October 22, 1974 regarding the opinion of the Ninth Circuit Court of Appeals in *Adriani v. The Equitable Life Assurance Society of the United States*, No. 72-2607 (slip op., Sep. 30, 1974). That opinion—relying on *Meicler v. Aetna Casualty and Surety Company*, 372 F. Supp. 509 (S.D. Texas, 1974), and *Transnational Insurance v. Rosenlund*, 261 F. Supp. 12 (D. Oreg. 1966)—states that it is evident from an examination of the legislative history behind [15 U.S.C.] § 1013(b) [of the McCarran-Ferguson Act] that the intent of Congress was to reserve unto the reach of the Sherman Act only a narrow area of restraint of trade among those in the business of insurance, namely, antitrust acts among insurance companies and agents for the purpose of boycott or coercion among insurance companies and agents." [Emphasis added.] Slip op. at 6-7.

The legislative history [behind the McCarran-Ferguson Act] shows that the boycott, coercion . . . exception, was placed in the legislation to protect insurance agents from the issuance by insurance companies of a "black-list," which would name companies or agents which were beyond the pale. This list, in effect, was a directive to an agent not to write insurance in the name of or for the blacklisted company; otherwise, he would be stripped of his agency and not permitted to write insurance for any of the members of the governing organization of insurance companies. 1. 91 Congressional Record, p. 1087 (79th Congress, 1st Session).

The Congressional Record reference thus cited has to do with remarks I made on the House floor in which I endeavored—successfully—to amend the House version of the McCarran-Ferguson bill to make the Sherman Act applicable not only to any act of boycott, coercion, or intimidation (as provided in the House bill), but also to any agreement to boycott, coerce, or intimidate. My entire purpose in urging this amendment was thus to broaden and not to restrict the applicability of the Sherman Act. By no stretch of the imagination can my remarks be construed as intended to limit the applicability of the Sherman Act to antitrust acts among insurance companies and agents for the purpose of boycott or coercion among insurance companies and agents. To the contrary, I think it crystal clear, both from my own remarks and from the legislative history of the McCarran-Ferguson Act, that § 1013(b) was intended to render the Sherman Act applicable to (1) all agreements to boycott, coerce or intimidate and (2) all acts of boycott, coercion or intimidation. Indeed, an examination of the entire legislative history of the McCarran-Ferguson Act shows that at no point was there even the most remote suggestion that § 1013(b) was to be limited to the antitrust acts specified by the court in *Adriani*.

In view of the importance of this matter and since I believe the holding in *Adriani* carves out an exemption from the Sherman Act not intended by the Congress, I have prepared the accompanying memorandum which sets forth in detail the entire legislative his-

tory of § 1013(b). This legislative history shows beyond peradventure of doubt that Congress intended in enacting § 1013(b) that the Sherman Act encompass all antitrust acts of boycott, coercion or intimidation by insurance companies, whether directed against policy holders, insurance agents or others—and not merely antitrust acts among insurance companies and agents for the purpose of boycott or coercion among insurance companies and agents.

Sincerely yours,

EMANUEL CELLER.

#### MEMORANDUM ON LEGISLATIVE HISTORY OF SECTION 3(b) OF THE MCCARRAN-FERGUSON ACT

Section 3(b) of the McCarran-Ferguson Act (15 U.S.C. § 1013(b)) provides as follows:

"(b) Nothing contained in this Act shall render the said Sherman Act inapplicable to any agreement to boycott, coerce, or intimidate, or act of boycott, coercion, or intimidation."

This provision had its origin in section 4(b) of S. 340 which provided (91 Cong. Rec. 478 (1945)):

"(b) Nothing contained in this section shall render the said Sherman Act inapplicable to any agreement or act of boycott, coercion, or intimidation."

The report of the Senate Judiciary Committee on S. 340 had the following to say regarding this section (S. Rep. No. 20, 79th Cong., 1st Sess. (1945), p. 2):

"The purpose of the bill is twofold: (1) To declare that the continued regulation and taxation by the several States of the business of insurance is in the public interest; and (2) to assure a more adequate regulation of this business in the States by suspending the application of the Sherman and Clayton Acts for approximately two sessions of the State legislatures, so that the States and the Congress may consider legislation during that period. It should be noted that this bill, by the moratorium proposed therein, does not repeal the Sherman and Clayton Acts, but opportunity will have been granted for the States to permit agreements and contracts by insurance companies which otherwise might be in violation of the Sherman and Clayton Acts. It should be noted further that no moratorium is granted from the Sherman Act relative to agreements or acts of boycott, coercion, or intimidation." [Emphasis added.]

In its sectional analysis of the bill, the Senate report stated (*id.* at 3):

"[Section 4] (b) provides that at no time are the prohibitions in the Sherman Act against any agreement or act of boycott, coercion, or intimidation suspended. These provisions of the Sherman Act remain in full force and effect." [Emphasis added.]

On the Senate floor it was emphasized in a colloquy between Senators McKellar and Ferguson, the floor manager of the bill, that section 4(b) applied to all agreements or acts of boycott, coercion, or intimidation. To the extent pertinent this colloquy reads as follows (91 Cong. Rec. 478 (1945)):

"MR. MCKELLAR. As I understand the bill its purpose and effect will be to establish the law as it was supposed to be prior to the rendering of the recent opinion of the Supreme Court of the United States. Is that correct?"

"MR. FERGUSON. No. I would say that subsection (b) [of section 4] . . . would allow the provisions of the Sherman Act to apply to all agreements or acts of boycott, coercion, or intimidation. . . ." [Emphasis added.]

Later in the course of debate, Senator

S. 340 as reported out by the Judiciary Committee was passed by the full Senate without amendment. See 91 Cong. Rec. 488.

Ferguson made the following additional comments that bear mention (91 Cong. Rec. 480-1):

"[I]f agreements in restraint of trade or to monopolize amounted either to a boycott and/or coercion and/or intimidation, they would be absolutely void, because they would contradict the bill which is now being considered by the Senate and which it is hoped will be passed today. But certain agreements might be permitted in the States if they did not violate the terms of this bill." [Emphasis added.]

"I think the bill is broad enough to allow a State to pass a law allowing any agreement or contract other than those inhibited in paragraph (b) of section 4. But it is not the purpose of the bill at all to foster monopoly, or to anticipate that any act will be passed permitting or even encouraging monopoly. A State law relating to taxation, a law relating to regulation, for instance, the fixing of rates, or the fixing of the terms of a contract of insurance, which might under some definitions of monopoly be monopolistic, would be permitted under the pending bill; but if the State law undertook to authorize a boycott, a coercion, or an intimidation, or an agreement to do any one of those three things, then it would be clearly void because Congress would have already spoken, and once Congress speaks on interstate commerce, no State can speak contrary to the congressional declaration." [Emphasis added.]

After passage by the Senate of S. 340, the bill was referred to the House Judiciary Committee which reported it out favorably with amendments. See H.R. Rep. No. 143, 79th Cong., 1st Sess. (1945). Among such amendments, section 3(b) of the Senate bill was renumbered section 4(b) by the Committee and the word "agreement" in section 3(b) of the Senate bill was deleted. Thus section 4(b) of the bill, as reported out by the House Committee, read:

"(b) Nothing contained in this section shall render the said Sherman Act inapplicable to any act of boycott, coercion, or intimidation."

With respect to section 4(b), the House Judiciary Committee report on the bill—like the report of the Senate Judiciary Committee—stated (*id.* at 3):

"It should be noted further that no moratorium is granted from the Sherman Act relative to agreements or acts of boycott, coercion, or intimidation."

The report further emphasized that section 4(b)—

"provides that at no time are the prohibitions in the Sherman Act against any act of boycott, coercion, or intimidation suspended. These provisions of the Sherman Act remain in full force and effect." [Emphasis added.] *Id.* at 3.

When S. 340, as amended, reached the House floor, an amendment was urged by Representatives Celler and McCormack to restore the word "agreement" to section 4(b). Thus Representative Celler stated (91 Cong. Rec. 1087-8):

"Further, there has been left out of this bill that has come out of the Committee on the Judiciary a very important word. That word is 'agreement.' There is, properly, prescribed in the wording of the pending bill 'acts of boycott, coercion, or intimidation.' You will find that on page 4, lines 19 and 20 of the bill before you. The Senate version, however, had in addition to 'any act of boycott, coercion, or intimidation' the word 'agreement' to boycott, coerce, or intimidate."

"What is the danger in leaving that word out? There is a great deal of danger. These great companies can issue a blacklist. It need not be in writing, there need not be a so-called overt act, it could be an oral blacklist, and they would frighten the wits out of all

<sup>1</sup>15 U.S.C. § 1013(b) provides:

(b) Nothing contained in this chapter shall render the said Sherman Act inapplicable to any agreement to boycott, coerce, or intimidate . . .



these small companies. In addition there could be an 'agreement' for what is known as separation. Let me tell you something about the 'separation.' Under 'separation,' if an agent wrote insurance for an outside or marked or proscribed company, or a black-listed company, he was immediately stripped of his privileges; that is to say, he was not permitted to write insurance for any of the members of the self-constituted governing organizations known as boards. If a member of any of the boards wrote business through that agent which represented independent or nonmember companies, such member company was subject to punishment and was compelled to give up the business.

"That is why I want the word 'agreement' put back into the bill. We have no opportunity to amend the bill and to put it back. For that reason, I must perforce oppose the bill, and the Attorney General for that reason is opposed to this bill."

Thereafter, the following colloquy occurred between Representative Walter, the House floor manager of the bill, and Representative McCormack (*id.* at 1088):

"Mr. WALTER. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. McCormack].

"Mr. MCCORMACK. Mr. Speaker, the question raised by the gentleman from New York interests me. Subsection (b) of section 4 on page 4 reads as follows:

"Nothing contained in this section shall render the said Sherman Act inapplicable to any act of boycott, coercion, or intimidation."

"It has been called to my attention that under that language an act of boycott, coercion, or intimidation will be illegal, but a combination, conspiracy, or compact to coerce, boycott, or intimidate will be free from legal consequences.

"It has been suggested to me by the Attorney General that if the following language is used that would be corrected: 'to any agreement to boycott, coerce, or intimidate, or act of boycott, coercion, or intimidation.'"

"I would like to ask my friend in charge of the bill if this language is objectionable to him, and if not, when this bill goes to conference, if it does, if the gentleman would agree to accept that language?

"Mr. WALTER. Of course, I would. I would like to point out to the gentleman that when there is the kind of agreement he speaks about then it becomes an act and then under the very language of the law it is a violation.

"Mr. MCCORMACK. I will not take issue with the gentleman on that, but will the gentleman accept that language?

"Mr. WALTER. Yes."

With this understanding, S. 340, as amended, was passed by the House.

The conference report—which was passed by the Senate and House, and enacted into law—adopted the amendment urged by Representatives Celler and McCormack; renumbered section 4(b) of the bill reported out by the House to section 3(b); and substituted the word "Act" for "section." See 91 Cong. Rec. 1357, 1489. See also 91 Cong. Rec. Appendix A 1190-1. As thus amended, section 3(b) read:

"Nothing contained in this Act shall render the said Sherman Act inapplicable to any agreement to boycott, coerce, or intimidate, or act of boycott, coercion, or intimidation."

From the foregoing, it is clear that in enacting section 3(b) (15 U.S.C. § 1013(b))

"It is evident from these remarks that in an effort to restore the word 'agreement' to the bill, Representative Celler was merely setting forth examples of the types of agreements that would be immunized from the Sherman Act unless the word 'agreement' was included. At no point in his remarks was there any suggestion that the scope of section 4(b) should be restricted.

Congress intended to render the Sherman Act applicable (i) to all agreements to boycott, coerce, or intimidate; and (ii) to all acts of boycott, coercion, or intimidation.

#### CLEVELAND CITY SCHOOLS' YOUTH GARDEN PROGRAM

#### HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. MINSHALL of Ohio. Mr. Speaker, in face of rising prices at the supermarket and a worldwide food shortage, many people have turned to home gardening. Such human resourcefulness is to be praised and encouraged, so that interest will not die out. An example of a gardening program that has withstood the test of time is found in the Cleveland City School System.

The school gardening program originated in 1904, continued through two world wars and a depression and is now a fine example for us all during the present recession. I congratulate Peter J. Wotowiec, the supervisor of the horticulture department, and Leslie F. Beamish, the coordinator of the home garden program, for their outstanding work in the program. I also highly commend all of the young gardeners in the Cleveland City Schools for their important contribution. The following news release explains the program in more detail:

#### CLEVELAND CITY SCHOOLS' YOUTH GARDEN PROGRAM

Over 21,000 gardeners in the Cleveland City Schools' youth garden program have completed their harvesting for the 1974 season. Production of vegetables alone amounted to over \$622,000.

The Cleveland School Garden Program, originated in 1904, includes the tracts located throughout the city where young people maintain individual garden plots. Total space devoted to tract gardens exceeds 35 acres. Those who do not wish to participate in the tract program can still maintain their "Green Thumbs" by enrolling for a home garden. Home garden kits are distributed to enrollees at the proper time for spring planting.

#### ECONOMIC VALUE OF CLEVELAND SCHOOL GARDENS, OCTOBER 1974

	Enrollment	Pupil investment (fees)	Value of vegetables produced
Tract gardens.....	5,595	\$3,575.30	\$199,163.08
Home gardens.....	15,920	11,871.75	423,048.24
Total.....	21,515	15,447.05	622,211.32

#### NOTE

The monetary figures include food only—most of the vegetable gardens above also contained flowers. Nine thousand nine hundred twenty five (9925) flower and indoor potted plant projects were grown by these youngsters in 1974. While no economic value for these beautification projects was included above, their esthetic value should not be overlooked. Finally, the educational value of gardening must be considered. Gardening remains a field laboratory for pupil development in the areas of environmental sciences, practical mathematics, social interaction and career exploration.

#### REFORM OF THE UNITED NATIONS GENERAL ASSEMBLY

#### HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. LONG of Maryland. Mr. Speaker, the fact that the U.N. General Assembly is being increasingly used as a forum for propaganda against U.S. national interests should disturb all Americans.

I would like to submit for the perusal of my colleagues a proposal for the reform of the U.N. General Assembly prepared by Rabbi Manuel M. Poliakov, president, Rabbinical Association of Greater Baltimore. Although readers may not agree with all aspects of this proposal, it should be useful in stimulating thinking on the future of the United Nations:

#### PROPOSAL FOR REFORM OF THE UNITED NATIONS

I. The United Nations as it is constituted today is a monstrosity that has become the chief demoralizing and degenerating force in the world.

II. It cannot be revived. It must be dissolved and a new organization formed that will set the world on the course of an international body that will bring peace to the world, security to the citizens within each nation and a realistic, meaningful spur to economic prosperity.

A. The voting power of each nation shall be determined upon the basis of the average standard of living of the working classes of the highly industrialized nations of the world.

B. The criteria shall be a sufficient income to assure:

1. Good adequate housing.
2. A good balanced diet for the family.
3. Proper adequate clothing for the family.
4. A reasonable number of electrical appliances.

C. Countries meeting this test shall have one vote. Those exceeding this test shall have a proportionately increased number of votes, while those countries not meeting the test will have a proportionate fraction of a vote. Size of the country's population shall have no bearing on voting strength.

D. Countries infringing upon the civil rights of its peaceful, law abiding citizens simply on account of race, religion, and/or political opinions shall be disqualified from voting until such time that these wrongs are corrected.

E. Delegates can be challenged to prove charges levelled at other countries and if these charges cannot be substantiated they must be withdrawn with apologies forthwith.

F. Any one delegate or delegation repeatedly making such unfounded charges must be warned that his, or its country's privilege to participate in discussion will be cancelled.

G. Adequate sanctions must be imposed upon any country supporting terrorist activities by word or deed whether within or beyond its own borders.

#### III. Results.

A. This kind of a program would accomplish two major objectives for the individual countries.

1. It would provide an incentive for all governments to reduce their population in order to raise their standards of living since that would give them more power, while the numbers would give them nothing.

2. The higher standard of living would bring in its wake a more responsible population, which in turn would bring about a more responsible government and hence more responsible delegates to an international body.

B. This too would give the international forum a position of respect and esteem, particularly with the additional regulations curbing brazen lies and wild, irresponsible charges.

#### OMNISCIENT GOVERNMENT

### HON. EARL F. LANDGREBE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. LANDGREBE. Mr. Speaker, during the Labor Day recess the Consumer Product Safety Commission published proposed recordkeeping requirements in the Federal Register. The proposed requirements would, if made permanent in their present form, require "manufacturers, importers, private labelers, and distributors of consumer products to maintain records of all consumer product safety complaints received" for at least 5 years, and to make such records and other relevant material immediately accessible to the Commission or its agents. These proposed requirements were authorized by Congress when it passed the Consumer Product Safety Act in 1972. They are, perhaps, not remarkable, for Congress has authorized so many agencies to collect information from the American people that more requirements emanating from any one Government agency may go unnoticed.

There are, however, several things that ought to be said with regard to the question of information and the Government. The first is that this Congress has seen probably more bills introduced to safeguard "privacy" than any previous Congress. Yet I suspect that many of the bills' sponsors voted for the Consumer Product Safety Act in 1972, or any of the other innumerable acts passed by Congress that authorize Government agents to collect information from American citizens. This observation leads me to question either the sincerity of those sponsoring "privacy" bills or the bills themselves. I fear that "privacy" is becoming a cue word like "ecology" or "civil rights," a word to cover all kinds of sins.

My second observation is that once again, in this election year, some Members of Congress who have done little else than increase the control of Government over the lives of everyone, have expressed concern over the "Federal paperwork burden." This year an investigation of the paperwork burden has been proposed which has a new twist: the investigation will be conducted by the General Accounting Office. In years gone by, the investigations of the paperwork burden have usually been conducted by congressional committees or subcommittees, and sometimes by special commissions headed by former Presidents. The last such investigation, which was completed just in time for some Members of Congress to propose another investigation, was conducted by the Subcommittee on Government Regulation of the Senate Select Committee on Small Business. Is-

#### EXTENSIONS OF REMARKS

sued on April 17, 1973, the Senate report comprised four volumes, 1,950 pages, of hearings and a summary report, but apparently it was not enough, for over 150 Members of the House have announced their support for a new investigation.

It should be obvious that such repetitious and redundant investigations and explorations of the same subject generate paperwork, not diminish it. It should be obvious that support of another investigation after decades of similar investigations is simply a political gimmick to win the votes of small businessmen. It should be obvious that Congress is simply unwilling to reduce the redtape and paperwork, and finds that it can give the impression of constructive activity by instructing a committee to "look into" a problem. Congress is simply unwilling to face the issue of the proper role of Government in the collection of information.

There is a very good reason for this, but it may not be quite so obvious as the motives for undertaking another investigation of the paperwork burden. The late Ludwig von Mises in his treatise on economics "Human Action" speaks of "The state, this new deity of the dawning age of statolatry, this eternal and superhuman institution beyond the reach of earthly frailties." He writes of "the counterfeit theology of the divine state." This counterfeit theology is the reason for Congress unwillingness to restrict the authority of Government agents to collect information from private citizens. Once this Nation had a different theology; once it was a Christian nation which believed that all earthly powers are limited. Once this Nation believed that one should render unto Caesar the things that are Caesar's and unto God the things that are God's. But now that belief in Christianity has faded and belief in Caesar has grown, there is no philosophical obstacle to the growth of the power of the state. Caesar is now sovereign. Instead of praying to God for their daily bread, many people pray to Washington. Social security is Caesar's substitute for the Providence of God.

Because this counterfeit theology, this statolatry, is prevalent in America today, the attributes of God are now being transferred to the new god, the state. Among these attributes is, of course, omniscience. Here we reach the basic reason why Congress is unwilling to restrict the powers of the Federal agencies to collect information: it subscribes to the counterfeit theology of the state. If the state is God, then it is and ought to be omniscient. The annual motions Congress makes to stem the rising tide of Federal paperwork are meaningless because Congress has no intention of reducing the Government's power to collect information, and will not do so until it changes its theological position.

Someone has well said that all differences between men are ultimately theological. I might add that all differences between governments are also ultimately theological. Until we return to the view that only God is sovereign and that all earthly authorities are limited, that is, until we return to Christianity, we will be burdened with omniscient, omnipotent, and omnipresent Government.

November 25, 1974

#### MINNEAPOLIS RENAISSANCE

### HON. BILL FRENZEL

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. FRENZEL. Mr. Speaker, I am proud to insert a story by Wolf Von Eckardt in the Washington Post of Friday, November 22, entitled "Minneapolis Renaissance." The article is a good one, and I only hope that all of my colleagues can visit Minneapolis and meet some of the most productive people in the world. The article follows:

[From the Washington Post, Nov. 22, 1974]

#### MINNEAPOLIS RENAISSANCE

(By Wolf Von Eckardt)

In the last few decades, Minneapolis, like most other American cities, has junked its streetcars, bulldozed half of its freeways, lost population, and spent much of its remaining vitality on one domineering 57-story skyscraper.

But unlike Washington—and most other American cities—Minneapolis is visibly on the rebound. It has a splendid, brand new symphony hall, two lively new art museums, a children's theater that grown-ups rave about, some of the country's most provocative architecture, and a 34-year-old mayor who is civic enthusiasm personified.

Mayor Albert J. Hofstede—medium height, sideburns, an engaging openness without mannerisms—professes to find all the talk about the Minneapolis Renaissance a little embarrassing.

The talk is based not only on the avant garde architecture, but also on downtown innovations of the kind other cities show only as visionary drawings in their planning brochures. One of them is Nicollet Mall, an eight block long pedestrian shopping street designed by the San Francisco landscape architect, Lawrence Halprin. It is different from other malls because a "transitway" for buses and taxis meanders down the middle. The curving roadway on a straight and typically American gridiron street, chock-full of trees, planters, benches, kiosks, heated bus shelters and other exemplary amenities, is startling fun. Retail sales are up and Nicollet Mall is now to be extended another five or six blocks to spark a new neighborhood along Loring Park.

Across the Mall runs one of the 11 glass-enclosed bridges of the "skyway" system, a network of second-story passages that leads you across busy streets and, along corridors and arcades, right through a number of big buildings, including two hotels and a department store. Eventually, "skyways" will cover 64 downtown blocks. You will be able to walk from a parking garage to just about anywhere in the business district without getting hot, cold, wet or run over by an automobile.

At the hub of these walkways is Crystal Court, a glass covered plaza between the 57-story skyscraper and other, lower structures of the IDS Center. Unfortunately, there is more cover than plaza. The famous New York architect, Philip Johnson, expended so much exuberance on his canopy of plastic pyramids, he had only austerity left for the people it shelters. There are only photogenic but uncomfortable white cubes to sit on. But people are not easily discouraged. With three levels of bars, restaurants and shops surrounding the court, it is bustling until late at night.

All this is part of the city's "Metro '85" plan, which was adopted in 1971 and contemplates a joint city government and business effort to rebuild downtown Minneapolis by 1985. The program, in contrast to most, in-



cludes such practical essentials as legal authority for zoning changes and various financing schemes. Nor is it run by starry-eyed planners and quibbling, bureaucratic agencies. It is, in effect, run by the mayor and city council and their city coordinator, an energetic engineer named Thomas A. Thompson, who seems to have more faith in common sense than his slide rule.

But there is more to Minneapolis than downtown, and Mayor Hofstede wants to make all of it a "liveable city." The first neighborhood of the Cedar-Riverside new town-in-town is already completed. The vast railroad tracks of the Burlington Northern along the Mississippi waterfront will soon be sprouting apartment houses, a hotel and a park. Most of all, the mayor hopes to provide new housing by renovating old houses. Under what may be the most aggressive rehabilitation program in the country, the city of Minneapolis now makes renovation loans, restores houses, tears down old houses beyond repair and sells the sites for new ones and sells dilapidated houses for as little as one dollar to poor people who pledge to fix them up within a specified time.

An equally aggressive program aims at attracting industry. The city assembles, clears and markets sites for new industrial parks. It advances money, borrowed on future tax revenues, for industrial construction, and it is exploring the idea of industrial condominiums for small firms that lack the funds to build their own plants.

All this planning and building is subject to the advice and consent of neighborhood Committees on the Urban Environment, or CUE committees, made up of both officials and ordinary citizens. City plans are coordinated with those of St. Paul and the seven counties of the Twin Cities metropolitan Council has probably more teeth than any other regional planning effort in the country. It can enforce such things as the fair distribution of low cost housing because it coordinates all local applications for federal funds. A "fiscal disparities act," now in litigation, would give the Council 40 percent of all local revenues to meet such regional needs as airports or sport arenas. In short, there is method to the miracle of the Minneapolis rebound.

Mayor Hofstede, a labor man, attributes most of the miracle to the cooperative spirit of the city's business leaders. Many of them like the Pillsburys and the Daytones, represent families who for generations helped build the place. The state legislature, too, is in a cooperative frame of mind. Minnesota is proud of its Twin Cities and so is its congressional delegation; Sen. Hubert H. Humphrey served as mayor of Minneapolis.

The spirit and the circumstances that spark it cannot be exported of course, but the example of Minneapolis ought to inspire other cities: there is much they can adopt. In any case it is at least faintly heartening to know that somewhere in this land of ours spunk and determination can make a city liveable.

#### A LOT DEPENDS ON WHAT THE CONGRESS DOES

**HON. EARL F. LANDGREBE**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. LANDGREBE. Mr. Speaker, in a recent exclusive interview with the U.S. News & World Report, President Ford was asked for his appraisal of the 1975 and 1976 budgets. His reply ought to interest every Member of this Congress:

A lot depends on what the Congress does. If Congress does what we are proposing for

the 1975 budget, if they help us cut spending to 300 billion or less, we will have, based on anticipated revenues, including my tax proposals, about a 5 to 6-billion-dollar deficit. Revenues are now anticipated around 294 billion-dollars—in that range . . .

Now, if you go to 1976, again it relates to what Congress does on deferrals, rescissions and a spending ceiling, as well as on anticipated revenues. You could have a deficit—if you just have a free, uninhibited program based on existing law, existing commitments—as high as 35 billion dollars. Or, with responsible action, you could go below 10 billion dollars. In fiscal 1976 you've got a wide range of possibilities.

President Ford has accurately pointed out that the economic future of this country lies in the hands of Congress—not the President. Congress has the ability to override the President's vetoes, and shows an alarming willingness to do so, especially on appropriations bills. Thus, it is Congress, not the President, that must bear the responsibility for the present and future economic conditions in this country. Congress can return this country's economy to a sound basis, or it can follow the advice traditionally attributed to Lenin that—

The best way to destroy the capitalist system is to destroy the currency.

#### ONE MAN AND HIS ONE VOTE

**HON. JOHN P. MURTHA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. MURTHA. Mr. Speaker, we heard a great deal during recent months, Mr. Speaker, about the apathy of the American voter. First, I do not believe this apathy was as widespread as it was pictured, and I still find a very strong strain of concern and dedication in the American citizen.

Second, Mr. Speaker, we sometimes come across a situation that reminds us of the importance of each vote, and in particular, of the importance of voting itself.

One such situation involves Mr. Domenick Gasbarro of the 12th Congressional District. As the following news article shows, Mr. Gasbarro voted this month at the age of 91, after spending nearly 50 years in this country after being born and raised in Italy.

Mr. Gasbarro's concern about voting should serve as another indicator to all of us of how important each vote is, and how wonderful it is that we all have the right to exercise our choices through our vote.

Mr. Speaker, I know I speak for the entire House of Representatives in extending our best wishes to Mr. Gasbarro and wishing him many more election day votes. We also thank him for his excellent example of American patriotism in action.

I include the following article:

[From the Johnstown (Pa.) Tribune Democrat]

#### ONE MAN AND HIS ONE VOTE

Domenick Gasbarro walked through the rain Tuesday morning to the Am-Slo Club, and his arrival was an occasion—people

cheered and called out enthusiastic greetings in Italian.

Mr. Gasbarro had come to vote, as he has for the past 45 years. Now 91, he already was approaching middle age when he came to this country from Italy 50 years ago.

Mr. Gasbarro has been a registered Democrat all his voting life, and he takes his patriotic duty seriously.

He appeared at the polls dressed in a neat blue suit, white shirt and blue tie.

Mr. Gasbarro resides with a daughter, Mrs. Anthony Kurtz, at 103 Catherine St. He is a retired shoe repairman and the father of five living children. His wife, Anna Maria, is deceased.

He has been noted for his music ability for half a century. Mr. Gasbarro was a conductor and composer for the Original Italian Band in the 10th Ward.

He taught music, and many of his students have gone on in the field. His son, William, has a doctorate in music.

Even at the age of 91, Mr. Gasbarro still copies some of his old Italian music as a pastime.

#### SAFE DRINKING WATER

**HON. WILLIAM M. KETCHUM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. KETCHUM. Mr. Speaker, certainly no Member of this House could lightly vote against a bill with so fetching a title as the Safe Drinking Water Act. To do so might somehow imply that one is in favor of unsafe drinking water. But the point is that the legislation passed by the House last week is very bad indeed, and will not accomplish its stated goal of bringing clean, pure water to all Americans.

The bill will allow the EPA to adopt its own standards for water treatment facilities and then certify or refuse to certify each and every such plant in the United States. If a local facility fails to meet EPA standards, the EPA can go to court to have it shut down.

The catch in the bill is that nowhere are funds made available to assist State and local governments to meet Federal standards. The bill is thus one more instance of the Federal Government ordering local governments to develop programs without telling them where they are supposed to find the money to finance them. The National Governor's Conference estimates that this bill will increase costs to local governments by \$150 million a year. EPA itself thinks that the price tag will be between \$165 and \$320 million. How are local governments going to come up with the money?

The practical effect of this bill is going to be the deprivation of water for many areas. If a local government has its water treatment plant closed down by EPA, and lacks the funds necessary to improve it, what are the citizens going to do for water?

Mr. Speaker, every Member of this House wants clean water. If we could get a sensible bill that will assist local communities to upgrade their plants, and provide for reasonable cooperation from the Federal Government instead of dictates, I would support it. But the bill just passed will only add to the burdens of our States and cities, and not fulfill the grandiose promises of its title.

# THE TRUTH ABOUT SOCIAL SECURITY

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. GAYDOS. Mr. Speaker, an injustice is being done, in my opinion, by the attempts of Ford administration spokesmen to categorize the millions now on social security incomes as aid recipients, sharing in the generosity of the Nation.

A recent example of this kind of misinformation peddling came when Budget Director Roy Ash told a news conference that meaningful governmental economics in the future could compel cutbacks in what he termed "income transfer programs," including social security.

I quote the Associated Press report on this meeting:

Ash repeated that the big increase in federal spending since 1968 had been in income-transfer programs such as Social Security, while other government expenditures, including those for defense, had decreased proportionately.

Mr. Ash then added, according to the AP:

The main role of government is no longer governing. The main role of government is now redistributing wealth, taking from some people and giving it to others.

How Mr. Ash or anyone else could get social security mixed up in this definition is beyond me. The older people drawing social security checks are not taking from others. Rather, they are getting back a return on the substantial social security investments they made in their working years.

This was the original purpose of the fund and it is working out accordingly. Present recipients are not getting something for nothing—handouts, indeed, from the others of whom Mr. Ash referred. In many cases, they are receiving less from social security than if they had paid their money into a private retirement program.

I resent this effort to make the public think of the pensioners as the takers of other peoples' money. The money they are getting is the money which first was taken from their pay envelopes or contributed in their behalf by their employers. And we need to keep our thinking clear on the latter point too. What was paid into social security by their employers was money not paid to them in wages and consequently was a fringe benefit which they earned and not something given freely in their behalf.

We are are mindful, certainly, that some now on social security—the ill, the handicapped, the survivor beneficiaries—are receiving checks out of proportion to the investments made for them. But this, too, was a part of the original social security plan with such recipients to be taken care of from the collective fund. Thus, these people are qualified social security participants and not governmental wards as such.

I hope, Mr. Speaker, as we look hard at Federal expenditures in the weeks ahead with a view to bringing them into line with income, we keep social security

separate in our minds—off the list of what Mr. Ash calls "income-transfer programs." Social security is not one of these and, if it now requires a supplementation of Federal money to carry its payments load, this is not the fault of fund itself but instead of the government which, in the past, borrowed the social security funds at low interest rates and prevented social security from standing on its own.

The Ford administration's interpretation of social security cannot go unchallenged. The pensioners are getting what they have a right to get. They are taking nothing from others. They are no part of a wealth distribution program and subtle contentions otherwise by Mr. Ash or anyone else needs to be condemned as untrue and unfair to millions of fine Americans.

## SPEECH BY SECRETARY OF INTERIOR ROGERS C. B. MORTON

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. WYATT. Mr. Speaker, our Secretary of Interior Rogers C. B. Morton in a speech recently before the Society of American Foresters, has very eloquently delineated the type of land use planning legislation that should be enacted into law. It is such an important message I wish to share it with my colleagues:

### REMARKS OF SECRETARY ROGERS C. B. MORTON

It's a great pleasure to be back here in New York, and to have a part in this 1974 National Convention of the Society of American Foresters.

Not far from here on Rockefeller Plaza is a statue of Prometheus, who stole fire from the heavens as a gift for Man. Man's precious heritage from the original energy-giver was a torch of burning wood.

In history and geology, we have all been exposed to a great variety of "ages." The Ice Age, the Stone Age, the Bronze Age and so on—right on up to the Nuclear Age, the Space Age, and even the Age of Aquarius.

So why do we never hear of a "Wood Age?" Probably because the Age of Wood—as an extremely versatile resource for Man—began with the dawn of human history, continues on today, and will still be going strong after all of us here have been cut down.

In short, it is always the Wood Age. And that is indeed fortunate. Because no other material we can conceive of is so versatile and so infinitely useful. And—given the wise management which is the hallmark of professional foresters—so eternally renewable.

Modern science has been equating matter and energy at least since Einstein wrote his mass/energy equation early in this century. In fact, today's physicists are not always sure which is which. But one thing we all are sure of is that materials and energy can both run short—which is why it is so important to have renewable resources such as our great forests.

The combustion of wood for the thermal energy now accounts for something like one percent of our natural consumption of fuels—slightly less than the contribution of nuclear energy at its present stage of development. And that's a good thing, because wood and the myriad of other forest products have so many thousands of good and lasting uses besides going up in smoke.

Heat retention, for example, is obviously a matter of substantial concern these days. The way heat engineers measure insulation efficiency of a material is by the amount of heat it conducts per cubic meter per hour through a temperature difference of one degree Centigrade.

By that measure, steel conducts 50 kilocalories—which makes it a poor thermal insulator. I think anyone who has ever climbed into a car after a broiling hot day or a freezing night already knows that.

Natural stone is 20 times more efficient an insulator, concrete slightly better than that, and brickwork twice again as efficient as concrete. Glass, thickness for thickness, is even more efficient than brickwork, letting only 7/10ths of a kilocalorie through a cubic meter in an hour.

But wood far exceeds all of those materials in heat retention. It is 333 times more efficient an insulator than steel and five times better than even brickwork or glass.

Wood, as you know, also constitutes the primitive stages of almost every fossil fuel—peat, lignite, bituminous coal and anthracite. To some extent, petroleum, natural gas and the kerosene in oil shale were also wood or woody plants.

But I don't think I need to elaborate on matters in which you are the acknowledged experts. I do want to acknowledge, though, that the worth and timeless value of our forests are premised in a good deal more than the products that we take from them for our utilitarian purposes. Forests are not only tremendous natural factories; they also produce social and environmental goods of incalculable value.

The modern professional forester makes a great contribution to our society. You manage our woodlands, and their associated wastelands and water, for a number of uses—for timber, for recreation, for protection of wildlife and water resources. You raise and harvest successive crops of timber and advance the science of silviculture.

My personal inclinations and deepest convictions would certainly put me squarely on your side in these endeavors, even if they weren't part of my job description as Secretary of the Interior.

I hope that pays for this excellent lunch; so now let me turn to something that is very closely related—in fact, basic—to forestry; and to everything else. The land . . .

I don't think I have to tell you that the land use issue has a significant bearing on forestry. Simply stated, land use means deciding which lands are used for what purposes. The forestry industry utilizes an extremely large portion of the nation's land resources; an estimated 754 million acres are now considered forest lands, 600 million of them in commercial use. It follows that your industry has much at stake as land use determinations are made. It is therefore important that you understand the issue, and that you understand what we in the Federal Government propose to do about the problem—and what we propose *not* to do.

One thing, inescapably, we're all going to have to do. In addition to an energy conservation ethic—which to my mind is an absolute necessity—we must develop a *land use ethic* with the same degree of urgency. An ethic which recognizes that America's land resources are finite, but that the demand for land use will keep growing at an accelerated rate.

We want to preserve areas that are of transcending importance to our natural, historic and cultural heritage. Yet, at the same time we *have* to provide and allocate land for such uses as housing, recreation, transportation, energy generation, industry, agriculture and forestry, and all the rest. My deepest belief is that the prudent stewardship of America's land resources is absolutely *vital* if we are to fulfill all of these essential demands.



And they are demanding. Look what's been happening.

Urbanization was absorbing land at the rate of about 730,000 acres a year during the 1960s; in the 70s, it should be higher than that.

Another 130,000 acres a year were being transferred to transportation usage from other uses.

About a million acres a year have in part been going into some kind of recreational use during the last decade.

Up to now, more than 1½ million acres of land have been disturbed by strip mining of coal. But we are going to have to develop our coal resources at a much greater rate than in the past—and as much as 45 million acres of land with stripable coal deposits exist in the United States. Of course, reclamation is now a must following such activities, but both the stripping and the restoration require long periods of time.

All in all, 50,000 more acres a year are taken for surface coal mining. Every year, more than a million acres of farmland and other open space are converted to physical development. Every year, 31,000 miles are added to our road network. And every year, right-of-way land is needed for more than 11,000 miles of high-voltage lines added to the Nation's electrical power system.

By the end of this century, in fact, it is estimated that more than 3½ million acres of additional land will be needed for new electrical generating plants and transmission lines.

But there's really no such thing as "additional land." It's going to have to be land that had been used for other purposes—open space, agriculture, forest land, or whatever.

The question, as I see it, cannot be one of whether we're going to manage our land resources in a better fashion than we've been able to devise up to now. We have no choice. The real question is how it is going to be done, and by whom?

There's just no way we can continue the helter-skelter ad hoc land use practices of the past, and hope it will all come out right in the end. It won't come out right; instead, the patterns of Man's use of the land will seriously erode the quality of life and become unmanageable—and finally ungovernable.

The use or misuse of our land is as important a determinant of our future well-being as the production of energy.

So the question of who is going to manage these land resources is a vital one that has got to be asked. And the answer had better be right.

Traditionally, in too many areas of our life, the trend has been increasingly to let "George" do it, and George almost always turns out to be your friendly Federal Government. That trend has gone too far, and it has by no means always worked out for the best.

After all, what does a Federal type, who sits in a marble monument on the banks of the Potomac, know about land use in thousands of diverse areas populated by different people with varying cultures, customs, histories and needs?

Which is not to say that the Federal Government has no proper role in land use management. There are still, after all, some 760 million acres of public domain lands under Federal ownership—about one-third of the country—out of an original holding of 1.8 billion acres.

The National Forest Service, as you know, accounts for more than 180 million acres, and 450 million more are National Resource Lands administered by the Department of the Interior for all the people of the United States.

We've also got 1¼ million square miles of the Outer Continental Shelf in our Departmental portfolio; and while we're expecting to get a lot of oil from that source

within the next decade I don't think there's any chance of converting it to forest land.

Interior's Bureau of Land Management manages some four million acres of forest land in the Lower 48 on a sustained-yield, multiple-use basis. Plus another 23 million acres of woodlands used chiefly for wildlife cover, watershed management, recreation and other purposes. That's less than 30 million out of the 754 million acres of the United States that are covered by forests; and I think you will agree that this is indeed a proper Federal role.

Another logical role for your Federal Government is our Department of the Interior EROS program—for Earth Resources Observation Systems. With a periodic overview of the entire country—in fact, of the whole world—and with the use of space technology such as the Earth Resources Technology Satellites, a program of this kind would clearly be beyond the scope of any local type of government.

But aside from these kinds of things, land is the substance of the States. Traditionally, and rightly so, the States have been the property managers. They should continue to be the principal managers of our land resources. And they will—unless they ignore this very fundamental responsibility.

For, if the States fail to provide the mechanisms for workable and environmentally sound land use plans—and if they do not implement them with courage and skill—the people are going to run over them. They will bypass the States and force the Congress and the rest of the Federal Government into a role that is not rightly ours. This is the States' baby—and it would be tragic if it fell to the central government by default.

Yet, if the misuse of the land continues, the people will soon demand that it be stopped.

So what I want—and what I think we really all want—is a land use bill that will help the States do this top-priority job. But not one designed to do their job for them.

Obviously, there must be some coordination among the States and regions of the country. There should be a general process established, and there has to be some order in the criteria and standards established by the various State governments.

And, of course, the setting aside of major areas of national significance is going to require some Federal input.

But the land patterns themselves, the shape of our cities and suburbs, the development of our small towns and rural areas—these things must be in the hands of State and local institutions.

Happily, new interest has been developing among the States in establishing decision-making mechanisms that involve all local governments and Statewide interests. Initiatives have come, among others, from Florida, Maine, Oregon, Vermont, Utah and Colorado. Others, like California and New York, have undertaken such initiatives on a selective basis.

A balanced approach to land resource management and land use planning has been increasingly endorsed at many levels of both the public and private sectors. The momentum, in other words, is building fast.

We at Interior, and other cognate activities of the Federal Government will do our best to secure passage of a bill that will give the States every chance to do the job for themselves—but not one that will second-guess or try to do the job for them. That to me, is the most important philosophy underlying any land use bill.

As professional foresters, I know that your interest in all aspects of land use planning is profound and abiding. We would certainly welcome your support for a good and workable Land Use Act that apportions these critical responsibilities in a logical and functionally sound fashion.

And I want to assure you, in closing, that

the support and facilities of the Department of the Interior are available to you for whatever help they can afford you. In these times of heavy emphasis on more coal, more oil, more gas, more minerals and more everything else, let us never forget that the great forests of America are still among our most precious resources. And, thanks to you, there is scant danger of our ever running out.

Thank you very much.

## REGIONAL MEDICAL PROGRAMS

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. HELSTOSKI. Mr. Speaker, throughout the Nation people associated with regional medical programs have made many important contributions to their communities and to the medical profession. Today, however, I would like to take a few moments to focus specifically on some of the work which is being done through the regional medical program of New Jersey.

In 1971, the program played a leading role in establishing a statewide network of hospital centers where patients could have their pacemaker battery function evaluated. Since that time, the program has been credited for playing an important role in reducing many of the costs and anxieties faced by people who must depend on pacemakers.

Furthermore, many other significant and beneficial byproducts have emerged from this program. Patients, for example, can now get together with other patients at the various regional evaluation centers, and discuss the problems and feelings which they have in common.

Mr. Speaker, an article concerning this program appeared recently in the Newark Star-Ledger, and in view of the fact that it provides additional insight into this exciting, dynamic program, I would like to share this article with my colleagues. The article follows:

### COMPUTER KEEPS PULSE ON PACEMAKERS (By John Osterhoudt)

A computerized evaluation system was credited yesterday for reducing the number of life-threatening situations, the costs and anxieties faced by people who depend upon battery-operated pacemakers to regulate their heartbeats.

At a statewide symposium sponsored by the New Jersey Regional Medical Program, the heads of pacemaker evaluation centers in several New Jersey hospitals discussed the problems involved in monitoring pacemaker patients, and said these are outweighed by the benefits.

The pacemakers are battery-powered units which are implanted in the chests of people who suffer heartbeat rhythm irregularities. The units give off an electric stimulus which keeps the heartbeat regular.

In 1971, the New Jersey Regional Medical Program helped to establish a statewide network of hospital centers where patients could have their pacemaker battery function evaluated. Information is relayed from the centers by teletype to a computer at Newark Beth Israel Medical Center, which helps analyze the data and determine whether or not the unit is beginning to fail and needs replacing.

At yesterday's symposium, held at the Ra-

mada Inn in East Brunswick, Dr. Victor Parsonnet, head of surgery at Newark Beth Israel Medical Center, said one patient has had a conventional pacemaker for 65 months, because the evaluation system confirmed there was no loss of power occurring in the unit.

Without the special equipment, doctors would probably have replaced the pacemaker at least once, estimating from 18 to 24 months of life for the pacemaker, and the patient would have undergone the cost, risk and anxiety of surgery which was not needed.

Several doctors said an important benefit of the regional evaluation centers is the opportunity for patients to sit down and talk with others like themselves, and share problems and concerns.

At-home telephone monitors are also used for patients when a pacemaker has been in for some time, and doctors want to keep a closer check on the unit's functioning. The patient dials his hospital, connects the monitor to his phone and places a sending device over the pacemaker. The hospital receives a signal which helps evaluate the pacemaker function.

It was pointed out that some patients become very anxious when given telephone units, and prefer to have the pacemaker replaced rather than worry about it. Also some doctors questioned the accuracy of the telephone monitor as opposed to the hospital testing.

The costs of pacemaker evaluation were also discussed. Dr. John Gregory of Overlook Hospital in Summit said the average patient in 1973 spent \$810 for nine visits and 27 phone calls to the hospital evaluation center.

Dr. Warren Widman of Morristown Memorial Hospital said it has been shown that often in the long run it is cheaper to do the evaluations and replace the units when the data indicates it, rather than by guesswork.

He also said that patients who fail to keep their appointments at clinics say the reason is because of costs, but that it is really due to other problems such as a lack of transportation to the clinic or some other family matters which prevent them from coming.

The evaluation system does not pick up all impending pacemaker failures and is useless in predicting such problems as broken component parts or wires. Parsonnet also said that as the number of cases seen at the centers increases, human error becomes an important factor, and doctors must be aware of carelessness as a problem to be faced in any program attempting mass diagnosis.

#### PROBLEMS FOR CATTLE RAISERS

### HON. JOE SKUBITZ

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. SKUBITZ. Mr. Speaker, on November 19, 1974, there was an editorial in the Emporia, Kans., Gazette that I would like to share with my colleagues in the House. It shows very clearly the problems that cattle raisers are facing. The editorial follows:

#### EDITORIAL

One of our farm friends brought in a letter this week that explains in simple terms the plight of people in agriculture.

The letter cites an "actual example" uncovered by the Farm Management Association of Kansas State University. Here is the story:

In 1973, a farmer bought 28 packages of twine to bale the hay to feed his dairy herd. The cost was \$6.50 a package for a total of \$182.

The farmer then sold two bull calves for \$100 each. The income paid for the twine with some money left over.

This year the farmer again bought 28 bales of twine to use in putting up hay to feed his dairy herd. The cost of the twine from the same supplier was \$27 per package for a total of \$756.

Again the farmer took two bull calves to a local auction. The two calves together brought \$36.11. In order to pay for the twine, the farmer this year must sell 43 calves.

To call attention to their predicament, livestock owners have been killing and burying cattle. Meanwhile, people in other parts of the world are starving to death. The slaughter is wasteful and has little effect on the livestock market. Instead of creating sympathy for the cattlemen, it has brought contempt and criticism.

Still, the twine-and-calves example explains why farmers have become so desperate that they are reacting irrationally.—R.C.

#### BUSINESS ATTITUDE ON CONTROLS

### HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. REUSS. Mr. Speaker, a recent article from the Daily Labor Report published by the Bureau of National Affairs, Inc.—BNA—by BNA Associate Editor Ben Rathbun, provides a revealing insight into the attitude of the business community toward the Ford administration's economic policies. The article notes a sharp contrast from the almost unanimous anticontrols posture of business and the financial community at the September economic summits, and some of the private views of business leaders. Although the great majority of business leaders continue to oppose direct controls, this picture is apparently more complex than the one that merged from the summits. The article follows:

INTERVIEWS INDICATE MIXED ATTITUDES ABOUT RETURN OF CONTROLS

(By Ben Rathbun)

Despite a devastating redudiation last Spring at the hands of the public, the Congress, the leaders of labor and business, the economists' community, and the White House, price and wage controls continue to play the role of the uninvited guest at the nation's economic council table. Like Gloria Swanson, Wright Patman, George Blanda and Uncle Dud LeBlanc's Hadaool, controls remain one of the country's most durable phenomena.

Although the Ford Administration, business, financial, and labor leaders, and a broad spectrum of economists rejected controls with virtual unanimity during the White House economic summit conferences, controls remain an important factor in the current policy reckonings of numerous business leaders. Some are resigned to their return; others not only assume their return but endorse them as an essential step.

Management's preoccupation with controls is revealed by its recent nervous inquiries to its Washington representatives. For example, on the Friday before Election Day, a number of the biggest Washington law firms received calls from out-of-town clients checking on the reports that President Ford

was about to announce a pre-Election Day freeze of prices and wages. Some callers even said they had heard that the physically-handicapped vendors at the newspaper and tobacco stands in Washington's federal buildings had been tipped off to get their prices up before the freeze took effect.

In addition to the rash of November 1 calls about the rumored freeze, company executives have been posing this sort of question to their Washington lawyers: "What's the latest date that I can raise prices and be grandfathered against a roll-back [under any program enacted by the coming Congress]?" A lawyer target of such questions added: "December may be a very bad month" for the price indices partly because of these anticipatory price actions.

After November 5, there also is an increasing assumption among business leaders that the new Congress will take the initiative on controls. However, well-posted Congressional leaders and their advisers indicated that this is not what a House Banking Committee expert called "a greased chute." The Democratic leaders at the Capitol will take particular account of the unions' desires on inflation policy; such an accommodation may not be readily achieved.

In any event, neither the emphatic refusal of the Congress to renew controls last Spring nor the rebuff from the Ford summits appears to have had the withering effect such critical drubbings might be expected to have.

#### SUMMIT CONSENSUS AGAINST CONTROLS

However, most informed observers believe that a large business majority remains opposed to controls. On this score, they stress the picture from the summit. The box-score when the President rushed into the Washington Hilton from his wife's hospital suite for a summary summit comment was one of remarkable unanimity. It revealed the nation's business leaders united behind the President in determined opposition to controls. The almost unanimous, if less fervent, support of the labor leaders and the variegated economists for this view suggested a rare national consensus for such a controversial issue. Prof. Kenneth Galbraith, one of the few control devotees, appeared to have been cast in the role of a crank from the irrelevant past.

At the Pittsburgh and Detroit mini-summits of industrialists, there had been virtually unanimous opposition to the restoration of controls. In the banking and finance mini-summit at Washington on September 20, there was no discernible sentiment for controls. Gabriel Hauge of Manhattan's Manufacturers Hanover Bank made this comment for the financial community panel at the summit: "Regarding pay-price policy, our panel showed virtually no interest in return to controls. The consensus seemed to be that if the controllers tried to build a better mouse trap, nature would breed a smarter mouse."

However, there are significant indications that the actual situation within business on these issues is more complex and mixed than the September view from the summit suggested. Furthermore, there are other countervailing signs that may influence the business and government policymakers:

In August, the Gallup Poll reported that the public had returned on the controls issue to the identical opinion pattern of mid-summer 1971. Fifty percent of those polled in both 1974 and 1971 favored a return to price-wage controls; 39 percent were opposed and 11 percent were "don't knows." On election night, NBC and CBS presented new polls indicating an above 50 percent public support for controls; the NBC poll reported 53 percent.

Furthermore, as BNA interviews with business leaders and their counsellors, and other reports indicated, there is a marked lack of confidence among business leader in the



Ford Administration's attack on inflation. For example, in early September, the *Wall Street Journal* made editorial mention of "a crisis of competence" with the Administration on economic policy. The ENA interviews reflected a comparable worry about the Administration's capability. Even very conservative executives tended to say that their bets on an early price downturn are based largely on market forces, not on White House policy. There were numerous comments deploring the current "dift" or the impression that the country lacks "a rudder." Given the high seriousness of the economic problem, what is perceived as a White House tendency to rely on what a food industry executive called "hope and eu-Ford-ia" also was decried. These business reservations are said to have weakened industry's resolve to buck pro-controls initiatives.

The recent softening of industry markets also might have a further modifying effect on the industry posture vis-a-vis controls. With market demand slackening, industry will be more reluctant to raise prices. The principal exceptions would be where industry's market dominance permits protection of profit margins through price policy. Meanwhile, the rising threat of labor's "catch-up" drive, including the impact of uncapped escalator clauses, might become the No. One force on prices. Therefore, business may be inclined to regard controls with less revulsion. After all, if controls' principal thrust were to be against wages, business might not protest as loudly about controls.

#### THE QUESTION MARK ON CONGRESSIONAL ACTION

On the issue of Congressional action on controls, the Democratic majority is faced with what an adviser to Senator Hubert Humphrey (D-Minn.), the chairman-to-be of the Joint Economic Committee, has called the "most obstructive" question: "Politically, how can the Democrats move on controls when their real thrust at this stage would be against labor and would be resisted aggressively by labor?"

Although labor's opposition may not be decisive in the end, it is certain to receive very respectful attention on the Hill. As a spokesman for Senator Adlai E. Stevenson (D-Ill.) noted: "With more Democrats in Congress, at least initially they will feel more tied to labor money." The nature of the problem was spelled out most succinctly by one of the most important movers-and-shakers during the 1971-74 controls period:

"Everybody who's expecting Congress to enact controls had better be forewarned that the only way they are going to get labor to cooperate is to do two difficult things: First, to write a law that says to the Administration: 'Don't lay a number on labor.' In other words, don't leave the door open to the fixing of specific wage guidelines. Second, be very stringent with business. Labor knows it got screwed under the Nixon controls. Nobody planned it that way but it sure happened."

The point was underscored, he noted, by White House adviser John Dunlop at the Brookings Institution conference in early November. At the session on the economic stabilization policies of the last five Administrations, Dunlop deposed as follows: "You can have a consensus or a [wage guideline] number but you can't have both." Dunlop and ex-Treasury Secretary George Shultz, who continues to have an important advisory relationship with Ford, have asserted that no stabilization program can work without labor's cooperation.

#### CALL FOR "A STOPPER"

The prime argument of the controls' proponents in business is that the economy needs a powerful circuitbreaker to arrest the inflation spiral. Several cited Consulting Economist Robert R. Nathan's comment that controls are needed to break "this se-

vere, contagious, self-generating spiral. Gradualism, voluntarism and euphoria will not do it." Only then, Nathan warned, will the Administration have the world-wide support and the popular confidence at home to provide the "increased ability to deal with other crucial problems like oil and the like."

A Washington-Boston lawyer said this of the attitude of 75 percent of the business executives to whom he has talked: "In this situation, we can't wait for more esoteric answers." He said they called first for controls and then for vigorous attention to "the slower, longer-term policies."

A frequently-expressed expectation came from a Chicago-based lawyer-counselor to a string of manufacturing companies. He said his clients "all expect we are going to have controls. They assume the Democratic Congress is going to pass them this Spring to embarrass the Republican President."

Another business observer pointed up a frequently-cited argument by recalling an earlier commentary by Walter Hoadley, executive vice president of the Bank of America: "Everyone is so occupied with the next 30 minutes or the next 60 days, they don't see the long-range consequences. There's very little prospect of getting things back to normal in this decade." He added, "... we're going to be going through phases [of controls and other government experimentation] indefinitely from here on out. We're going to be trying everything. What works, we'll use until it stops working. But there won't be any enduring solutions."

#### BUSINESS ATTITUDES: INDIVIDUAL INTERVIEWS

The following are summaries of BNA interviews about the present attitudes of business leaders and their advisers on economic stabilization policy. Most of those interviewed have close and continuing exposure as advisers for a broad cross-section of industrial executives. Their reports tend to reflect either business resignation to the onset of new controls or varying degrees of support for controls going beyond a beefed-up Council on Wage and Price Stability. The majority case against controls will be covered in a subsequent report:

A partner with an extensive stabilization-related practice at one of Washington's largest law firms: "Contrary to what they're saying publicly, my clients' business planning is being done on the assumption that we are going to have controls." In the case of the health industry, controls are beginning to appear "almost as an attraction."

The industry is threatened with the establishment of state rate-review agencies; federal controls might be "a viable alternative" and a preferable one.

Executives in other industries have "reached the point of resigning themselves" to controls. They are concentrating on "accommodating themselves" to whatever program comes along. Of particular importance to industry is the need "to avoid being caught by the kind of whipsawing" that happened in the 1971-1974 period. "Whipsawing that results in a company's inability to recapture capital investment" is especially "disastrous" in its impact on industry as well as on stabilization policy objectives.

He gave heavy stress to the importance of a controls system favoring long-term capital investment. Business and financial leaders have now perceived that "one of the great tragedies of Phase II was that it placed a premium on using debt financing and it moved industry out of equity financing." Under Phase II, you could "expense out interest costs and get a better profit margin by going to debt financing." Business executives are now seeing this as one of the most unfortunate aspects of the Nixon controls. A better investment credit proposal (the current Ford proposal is regarded as unsatisfactory and counterproductive) would help to make the

controls program more acceptable to business.

A top official of *International Paper*: The current modification of sharp business opposition to controls is linked to its skeptical notion about the Ford Administration's competence on stabilization. However, the presence of ex-Cost of Living Council Chairman John Dunlop as a White House adviser indicates that the policy moves down the road may be more practical and less laissez-faire in character than the current Greenspan-Simon posture suggests. "John Dunlop is a strong man" and is likely to be pushing tougher policies involving Administration intervention in major price and wage decisions.

Partner in *Herrick, Smith, Donald, Farley & Ketchum*, Boston, Mass.: The controls worked during Phase II and they could be made to work again.

A Washington lawyer-adviser to aircraft manufacturing, chemical, restaurant, glass manufacturing, and metal fabricating companies: This summer's wholesale price surge modified a number of his clients' attitudes. As he put it: "They have little faith in controls" but are getting to the point where they're saying, "we can't stand any more of this. Let's try the controls again."

The head of the large U.S. paper division of a multinational conglomerate: Controls are comparing. "We are prepared to cooperate in a new round of controls so long as they are administered" more fairly and effectively than the 1971-1974 controls. The paper industry was hurt by the Nixon controls because they had been applied when the industry's prices were down. Subsequent catch-up opportunities to get capital required for large-scale investment, among other purposes, were long delayed. The industry now has achieved something of a balance on prices, and could live with a better-administered set of controls.

Asked whether other business leaders are coming to a comparable view, he said too many business executives have not grappled with today's complex economic problems. They won't say anything on controls "until they've had their third drink and then they assail them as rampant socialism." Their emotional and automatic response to controls mistakenly assumes that they can never work. Furthermore, their response is unvarying whether prices are going up at four percent or twelve percent. There is a rather crucial difference.

Controls cannot be regarded as "an all-purpose" solution. Along with their administration, the timing of their application can be crucial.

A high General Electric official: At the time of the first summit meetings in September, many major business leaders, notably in autos, had not realized the degree to which their overly-optimistic projections out-of-line. There was a tendency simply to plump for the Administration's "old-time religion" and to reject measures to deal with both recession and inflation.

By late October, a number of business executives, with Lynn Townsend of Chrysler in the van, had come around to a more somber view. Combined with this recognition was the increasing view that some may have bought wage- and fringe packages that would be very hard to live with down the road. There was also increased recognition that an Incomes Policy of some vigor, including limited White House controls authority, might be necessary.

A high officer of the Marine Midland Banks: Controls are "like the stopper" on a pitching staff. You bring them in to stop a losing streak. Used that way, when the timing is right, controls can work. President Ford really does not know what he is doing on inflation; his policy seems heavily based on hope; he should ask the new Congress for controls authority.

A negotiator for numerous companies who

is a partner in a leading Buffalo, N.Y., law firm: "I think the removal of wage-price controls was a mistake of 'alarming dimensions.' Reimposition of a controls program would be desirable.

A partner in the Washington-Boston law firm of Dickstein, Shapiro & Morin: About three fourths of the business executives whose views he knows favor controls. A "surprising" aspect of this is that the controls supporters cannot be classified on a predictable basis. Some now most emphatic for controls normally are "constitutionally opposed" to such intervention. They are saying: "In this situation, we can't wait for more esoteric answers." The President has got to clamp on controls and then go to work on "the slower, longer-term policies." Controls may not work for long but we need that kind of tough action "to turn this thing around."

A ranking vice-president, First Pennsylvania Bank, Philadelphia: Business executives "are not focused on controls or no-controls." On stabilization, their prime worry is the sufficiency of capital for investment purposes. They are not "too much opposed to controls" as a device for numbing inflationary "exceptions." However, there is business and banking industry concern about the timing, duration, and manner of imposition of controls.

Controls that shut off the capital flows indispensable to eliminating shortages and production bottlenecks would be most unfortunate. What the country needs "is a kind of five-year plan" for raising the capital to permit a large-scale expansion of "paper, steel, chemical" and other manufacturing capacity.

Like most others interviewed, he noted the marked lack of business community confidence in the Ford Administration's ability to develop and operate an effective stabilization program. This is part of the reasoning behind the grudging recognition that direct controls must come back. "People like Greenspan seem far too simplistic" in their attack on "these very complex problems." However, in business, the controls question is not "the burning question" that it is with the "Mao types like George Meany."

Formal business opposition to controls in 1975 can be assumed but this would not represent a united industry front. Given current levels of inflation, businessmen tend to regard the grid-it-out, yard-by-yard approach of the Alan Greenspans as "a policy of drift." Businessmen "hate drift." Switching metaphors, he added: Greenspan's policies seem like the doctor's saying: "The patient has pneumonia but we must treat it as we did in the old days without drugs."

J. Irwin Miller, chairman of Cummins Engine Co., Columbus, Ind., said at the Detroit mini-summit that Congress should adopt legislation authorizing the President to impose wage and price controls "at his discretion." He also supported selective price rollbacks to the levels of September 1, 1974.

A common theme in some interviews was the volatility of the business community on controls in recent years. One observer referred to this *Wall Street Journal* report of March 1974: "Three years ago [in the summer of 1971], the U.S. was suffering a 4% to 5% inflation rate, and hundreds of business executives—among others—were demanding that the Government clamp on price and wage controls. This year the country faces an inflation rate estimated at 7% to more than 10%, and businessmen say they can hardly wait for controls to end, as they are currently scheduled to do April 30."

As noted at the outset, the dominant view in Washington is that opposition to controls remains the majority stance within the business community. A Washington counselor to chief executives of major companies in autos, oil, and electrical manufacturing reported just before Election Day that he detected "little enthusiasm" for mandatory

controls among his clients. On the other hand, he said they had little belief that the Ford Administration "was going to be helpful" about inflation; they are betting more on the "normal market forces." He has told his principals that he "sees nothing mandatory at least through the spring."

#### FIRST STEP: MORE POWER FOR WAGE-PRICE COUNCIL

There's broad agreement that one of the first moves involving wage and price policy could be to give the Council on Wage and Price Stability the power to subpoena business and union records; to require deferral of challenged price and wage decisions; and to order rollbacks in limited instances. The justification for rollbacks by the Council have been characterized as "excessive outages" by Harvard's Otto Eckstein and as "unconscionable ripoffs" by ex-CEA Chairman Walter W. Heller. Such moves could originate either with the Congress or the White House during the coming rump session on Capitol Hill.

However, the business leaders have indicated their awareness that the election returns have raised the chances of stronger recommendations, including outright controls. Furthermore, as Paul Samuelson, the MIT Nobel Laureate in economics, put it in a review of the summit conferences: "... they [the participants] were aware that the more malignant the stagflation, the more likely that the nation, out of desperation, will turn to controls once again."

#### JACL CONDEMNS GENERAL BROWN

##### HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. YATES. Mr. Speaker, the Japanese American Citizens League is one of the great national organizations devoted to human rights and the protection of the liberties guaranteed by our Constitution. Mr. Thomas J. Hibino, its Midwest regional director, has written a thoughtful letter, dated November 15, 1974, to President Ford in which he condemns the false and highly prejudicial remarks made by Gen. George S. Brown recently at the Duke University Law School.

The letter follows:

JAPANESE AMERICAN  
CITIZENS LEAGUE,  
Chicago, Ill., November 15, 1974.

THE PRESIDENT,  
White House,  
Washington, D.C.

Mr. President: The Japanese American Citizens League, a national human rights organization, has always been concerned with the welfare of all Americans. Towards this end we find General George S. Brown's recent remarks that Jews "own . . . the banks in this country (and) the newspapers," to be inaccurate, injudicious and, in his own words, "ineptly stated." These kinds of statements which deal in generalizations of entire ethnic groups are misleading at best and, at worse, can lead to serious ramifications.

Japanese Americans remember clearly the situation during World War II when another general, John L. DeWitt referred to all Japanese Americans by saying: "A Jap's a Jap . . . It makes no difference whether he is an American citizen." His attitude coupled with his high military position had a direct influence on the infamous decision to remove all Japanese Americans from the West Coast, regardless of their individual rights.

The continued existence of prejudice in this country in many individuals including General Brown remains an unchallenged fact. Although we can never hope to eliminate prejudice entirely, we do question the necessity of retaining a man with these publicly-stated attitudes in the nation's top military position.

We appreciate your continued attention to this matter.

Sincerely,

THOMAS J. HIBINO,  
Midwest Regional Director.

#### INTERNATIONAL COMMISSION OF JURISTS REPORT ON HUMAN RIGHTS IN CHILE

##### HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. FRASER. Mr. Speaker, on November 19, the Subcommittees on International Organizations and Movements and on Inter-American Affairs held a joint hearing to receive a current report on the situation with respect to human rights in Chile. Since December of last year the subcommittees have held six hearings on this subject. The record of these hearings has been published.

The Department of State has indicated in recent statements that Chile "has witnessed considerable progress toward more normal conditions" during the past year. The Department asserts that the number of detained persons "has declined substantially" and is assured by the junta's promise to release many more prisoners before the year has ended. These comments by the Department are not surprising when one remembers that in June of this year, before the above subcommittees, Deputy Assistant Secretary for Inter-American Affairs, Harry W. Shlaudeman, referred to the "gratifying progress" Chile has made in observance of human rights.

Our subcommittees have a practical interest in the Department's "rose-colored" perspective on the situation in Chile. The Department is using this perspective to justify continued close relations with Chile and refusal to support United Nations measures aimed at restoring human rights in Chile.

Several weeks ago the U.N. General Assembly adopted a moderate resolution urging Chile to respect human rights. The United Kingdom and eight others of our Western allies were sponsors of the resolution, which was adopted by a large majority. The U.S. representative justified our abstention on the grounds that Chile had made considerable progress.

The Committee on Foreign Affairs has placed in the foreign aid bill now before the House a ceiling of \$10 million for military assistance to Chile with the condition that, except for \$800,000 in military training, none of the funds may be spent unless and until "the President reports to the Congress that the Government of Chile has made and is continuing to make fundamental improvements in the observance and enforcement of internationally recognized human rights."



The interpretations which the Department is giving to the situation in Chile appear to be laying the groundwork for emasculating the intent of the Foreign Affairs Committee. Should the above condition for continuing military assistance to Chile become law, the Congress will expect in the President's report a much more stringent standard than the Department has been applying to Chile so far. If the Department is not forthcoming, an absolute termination of military aid to Chile is inevitable.

Perhaps the most damaging of United States-junta relations was the New York Times report that Secretary Henry Kissinger rebuked our ambassador to Chile for raising human rights issues with Chilean officials. The Department has denied the story but refused to show us the documents to verify its account. The request for a meeting with the Secretary has been outstanding for 7 weeks.

The jurists' report strongly suggests that the Chilean junta continues its policy of oppression and torture. The objectivity of the Commission's report is without question. I hope that the Department of State will reevaluate its analysis of the situation in Chile in the light of the jurists' report.

The report follows:

[Statement by Mr. Niall MacDermot, Secretary-General of the International Commission of Jurists, Geneva]

#### CHILE AND THE RULE OF LAW

In April of this year the International Commission of Jurists sent a mission to Chile to study the legal system at present in force. One of the members of that mission, Professor Covey Oliver, has already testified about it before this Committee. As will be apparent from his testimony, we were greatly advantaged by having the benefit of his deep knowledge of Latin America and his wise counsel and judgment. The other members were Dr. Kurt Madlener of West Germany, and myself.

The final report of this mission was published on September 5 and I will, with your permission, hand in a copy, together with our press release which summarizes its findings and recommendations. The report does, I believe, contain the most detailed survey which has yet been made of the operations of the system of military justice. That system has some really disturbing features. The Chilean delegate in the Third Committee of the United Nations has sought to discredit this report. Every observation he made upon it was erroneous, and I will leave with you a copy of my letter to him exposing the errors. More striking is the very large number of serious criticisms of the legal system made in our report, which he does not try to answer or refute. This confirms us in our belief that our report is an accurate one.

Indeed, we have further confirmation of this in a copy we have received of a remarkable letter of August 31 written by Dr. Eugenio Velasco to the President of the Chilean Bar Association, or to give it its proper title, the College of Advocates. Dr. Eugenio Velasco is one of Chile's most prestigious lawyers, formerly Dean of the Law Faculty of the University of Chile, Santiago, and, I may add, a leading opponent of President Allende's government. In his letter he challenges the Council of the College of Advocates to show the same spirit and energy in defense of human rights today as it did under President Allende. He has asked it to convene an Assembly of their members to

enable them to speak their minds freely about the present situation.

He describes how every lawyer who comes into contact with the system of military justice as it is operating in Chile today knows that the most brutal violations of human rights are continuing to occur; arrests and disappearance of the victims, without their families or lawyers being able to learn for weeks or months why they have been arrested, where they are being held, or what charges they will have to meet or when; physical and psychological pressures, including the most horrible tortures, assassinations and executions without trial; the existence of a "state of war" imposed by decree law so as to be able to use the most summary "time of war" procedures, when everyone knows Chile is at peace and the so-called war is a fiction; and the increasing division of the country by the systematic and infamous treatment of so-called "prisoners of war", "enemies of Chile" and "traitors to the country"; this absurd situation of a "state of war" permits and provokes excesses of every kind which have stirred up the whole world; and there no longer exists in Chile the most elementary remedy to defend the freedom and dignity of man, the writ of habeas corpus (recurso de amparo).

Copies of this remarkable document, of which I will leave you one, have been widely distributed among lawyers in Chile. It confirms from an unimpeachable source all that we said in our report. Indeed, the writer quotes it with approval, correctly describing our organization as being known for its anti-Marxist line. The Chilean government has suggested that we are in league with "the Soviet Union and its allies". Do they suggest that Dr. Eugenio Velasco also is in league with them too? Even this is possible. We have just learned that they have refused to allow him to leave the country to visit his daughter in the United States and that they have started proceedings against him as a means of trying to pressurize him into withdrawing the charges he has made against the regime in his letter.

On October 24 we published a press release entitled "Chile—the Show and the Reality", which I will also hand in. In it we made three main points: first, that contrary to the impression created by General Pinochet's speech on the anniversary of the coup, the system of military justice in time of war continues in force with all its defects; second, that again contrary to the expectations aroused by his speech, there would be no mass releases of prisoners; arrest of political suspects from May to August had totalled over 700 and the testimony of those who had been released indicated that about 50% of them had been tortured. These arrests, which are continuing, are additional to the mass arrests in the "poblaciones" amounting to 10,000–15,000 persons, allegedly to round up common law criminals; thirdly, that the military control of education had been extended from the universities to the schools, with representatives of the military supervising in the schools.

In a half-page advertisement in the Washington Post on November 9, the Chilean Embassy seek to reply to our press release. (A similar advertisement appeared in the New York Times last Sunday in the name of the Chilean Bar Association.) The Washington Post advertisement is a denial of our allegations, combined with insinuations against our organization. Their denials are no more convincing than their denials of torture. I am confident that our information is correct, and that the authors of this advertisement are misinformed. I will only comment on two points.

They say "Nobody has dared to maintain that the Code of Military Justice enforced

for the past fifty years contradicts basic principles accepted as such by civilized nations." Well, our mission has said precisely that in relation to the system as now enforced, and we consider that Chile has thereby been in breach of its obligations under Article 3 of the Geneva Conventions. We have quoted from the official Commentary of the International Committee of the Red Cross in support of our argument, and this passage of our report was referred to with approval in the letter of Dr. Eugenio Velasco. And, as Dr. Eugenio Velasco himself said, the summary system of military justice in time of war is designed for a situation and an area where active hostilities are engaged, and more elaborate procedures are not possible. It is an abuse of the system to apply it under present circumstances.

Secondly, with regard to their denial of the extension to the schools of military control over educations, I would add that since the date of our press release we have further disturbing information to confirm this. We understand that a scheme is now under consideration to send to work on vast programs of afforestation and land reclamation over 600,000 children and juveniles supposedly in need of "rehabilitation." These are to include those whose family situation is thought to "bring them into conflict with the norms of the established order of society." In other words, it is proposed that children of supporters of the previous regime will be taken away from their parents and sent to rehabilitation camps. This is how the military authorities in Chile think to purify their youth.

The most serious defect in Chile's legal system, apart from its excessively summary nature, is the fact that there is no appeal system. Very serious injustices are occurring due to errors of law by the military tribunals, six of whose seven judges have no legal training.

We quote many examples in our report, including executions under illegal death sentences, retrospective application of increased penalties imposed by decree laws, decisions given where the court had no jurisdiction and convictions for offenses not charged and even for offenses not known to the law. As there is no form of appeal, there is no way of avoiding or remedying these injustices.

When we were in Chile, we raised in an interview with the then Minister of Justice the case of Professors Anjel and Silvia Contreras and ten students of the University of Chile, Osorno. They had been arrested on 11 and 12 September 1973 and were later convicted of offenses against the law of weapon control for which the maximum penalty at the time of their offense and up to their arrest was 540 days. However, they were sentenced to imprisonment, the students for three years and the professors for 15 years, under a decree promulgated ten days after their arrest. I have now received a reply from the present Minister of Justice who is, incidentally, a general of the Carabineros, the militarized police. He does not seek to deny the facts or the consequent violation of the Chilean Constitution and of all established norms of penal law concerning retroactive legislation (though the Chilean delegate to the Third Committee did seek to). The Minister does not suggest any way in which the matter can be remedied, or the sentences reduced. He merely says that the possibility will be considered of allowing them to leave the country. In other words, these two professors may be offered the choice of spending 15 years in jail under an illegal sentence or of going into voluntary exile. Perhaps the Chilean Embassy in this city will now understand why we maintain that their system of military justice contravenes the standards of civilized nations.

## ANTONIA

## HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Ms. SCHROEDER. Mr. Speaker, women striving for acceptance as creative individuals have faced and overcome tremendous societal barriers. It is a rare pleasure to acknowledge the collaboration of two of perhaps the greatest living women American musicians: Ms. Antonia Brico and Ms. Judy Collins, both from my district of Denver, Colo., in a new film "Antonia." Produced by Ms. Collins and Ms. Jill Godmilow, the film poignantly portrays the struggles and triumphs of the world renowned conductor, pianist, and teacher, Ms. Brico.

I would like to share with my colleagues a recent newspaper article concerning the film, "Antonia":

"ANTONIA"—JUDY COLLINS' STUDY OF A  
WORLD MUSICIAN

(By David Sterritt)

NEW YORK.—"Antonia: A Portrait of the Woman" is packed with out-of-the-ordinary things, not the least of which is Antonia herself. She's Antonia Brico, distinguished pianist, teacher, conductor, and—with the premiere of this new film about her life and work—potential object lesson for the women's liberation movement. A remarkable person who, through her efforts to excel in a field traditionally dominated by men, has led a long and inspiring career.

You might expect a film about Miss Brico to be unusual, and "Antonia" is. For one thing, it's only 58 minutes long—a good length for a public-TV special, but scarcely the norm for a theatrical film. What's more, it is currently having its world premiere not at a commercial movie house, but at New York's Whitney Museum of American Art, on a bill with Jordan Benson's lovely and highly experimental "Light" (though supporters hope "Antonia" will soon be a popular national phenomenon). And what's more yet, it was assembled by two novice movie directors. One, Jill Godmilow, is a film editor of considerable experience.

The other, Judy Collins, is one of the world's most celebrated folk-style singers—and it comes as some surprise that her first motion picture concerns a renowned classicalist at the opposite end of the musical spectrum.

## NAME TO CONJURE WITH

Antonia Brico has been a name to conjure with for more than four decades. In 1930, at the age of 28, she became the first woman to conduct the Berlin Philharmonic—just one major event during her long and hard-fought battle for recognition as a major symphony conductor. This battle has been partially successful. Its triumphs are reflected in an endless string of yellowing newspaper clips hailing the "girl genius" and "first lady of music." The defeats seem especially sad today, as the 73-year-old conductor lives what she describes as a continuing heartbreak—the heartbreak of not being able to play her instrument, the professional symphony orchestra.

Filmmakers Collins and Godmilow sought Miss Brico out at her unprepossessing home in Denver, where the still-vigorous musician now conducts her own semiprofessional Brico Symphony.

Their movie looks closely but sympathetically at her art, her career, and her personality—capturing one outburst of bitter anger at "sexist" musical society, but always con-

veying her warmth, her intelligence, and the humor that enables her on-screen piano playing to help delightfully from keen classicism to infectious jazz.

## WARM ASSOCIATIONS

Miss Brico's memories are the main substance of "Antonia"—her friendship with Albert Schweitzer, her warm associations with Arthur Rubinstein and Jean Sibelius, her running battle with "male chauvinist" Jose Iturbi. But the present-day realities of Miss Brico's life are also pervasive elements—her projects, her ideas, and her awareness of how her current existence has been influenced by the very conception she always fought hardest: the conception that women are unsuited to conduct the great orchestras of the world.

"Antonia" works conscientiously at evoking the facts and feelings of Miss Brico's career, though its insistence on the conductor's genius is documented more through verbal and printed material than through recordings or extended shots of Miss Brico leading her current orchestra. Miss Collins and Miss Godmilow have tackled a big subject with their 58-minute movie, and make a fairly convincing job of it. If these new directors collaborate again in the future, one hopes they will avoid those distracting views of an interviewer's face, when the focus should be concentrated on the film's main character; but one also hopes they will make still further use of the poignant shot-to-shot dissolves that lend a special beauty to the film's later moments.

DE CHABERT LAND DONATION TO  
THE PEOPLE OF THE VIRGIN ISLANDS

## HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. DE LUGO. Mr. Speaker, the De Chabert family of St. Croix, Virgin Islands, enjoys a reputation of prominence in the islands, and is well-known for its many charitable contributions to the people of the Virgin Islands. One of its most recent philanthropies was a donation of 110 acres of land on St. Croix which, I believe, is eminently representative of the De Chabert family's generosity, respect, and affection for all Virgin Islanders. The following newspaper report is commended to the attention of my colleagues:

## DE CHABERTS GIVE 110 ACRES TO THE PEOPLE

The Esplanza Development Corporation has donated 110 acres of land on St. Croix to the people of the Virgin Islands, Governor Melvin Evans announced Friday. The corporation is owned by the De Chabert family.

The De Chabert family gift is to be used a school in Frederiksted, subdivision for veterans homeownership and to preserve for public use ruins of two sugar estates.

A memorandum of agreement between the family firm and the government was signed late Wednesday without public notice by Governor Evans, Conservation Commissioner Hortense Rowe and Dr. Ralph De Chabert.

The first parcels of land are located in Estate Williams, St. George, Springfield, Two friends and Hope.

The Deed of Gift conveys and dedicates the property "to the Government as trustee for the people of the Virgin Islands for and in consideration of our mutual love and affection for the people of the Virgin Islands."

## THE FOUNDATIONS OF EDUCATION

## HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. ASHBROOK. Mr. Speaker, recently Mortimer Smith retired as Executive Director of the Council for Basic Education. In the November 1974 Bulletin of the Council are excerpts of his final report as Executive Director.

I include them in the Record at this time as I think his views of the ends and problems of education are both timely and interesting:

## HOW FIRM A FOUNDATION?

(The following excerpts are from Mortimer Smith's final report as Executive Director of CBE.)

At these meetings I usually attempt a short appraisal of the course of education during the preceding year, describing the various cross currents as we see them from the CBE office, but in this final report to the membership I would like to depart somewhat from that custom. In recent months, as the fact of my retirement has moved from a somewhat remote happening for the future to a present reality, I have found myself in spare moments thinking not about current developments but about underlying principles. As I relinquish a task which has occupied me, as far as CBE is concerned, for eighteen years, and for several years before the advent of CBE, I find some questions nagging at my conscience. In developing CBE's administrative and editorial operations, and engaging in the promotion and polemics that are involved in dealing with controversial issues, have I unwittingly lost sight of the fundamental purpose of the task? Have I, in Deweyan terms, accepted experience, change, and growth—or just existence and functioning—as worthy ends in themselves while losing sight of the all-important questions, "Growth towards what?" and "Existence for what purpose?"

I suppose that in the long run I must leave the answer to the question of fidelity to original aims to the judgment of others, but here I would like to deal with the matter briefly, to think again of the design of our house and the foundations on which it should be built. I have, of course, talked about these matters from time to time in the course of CBE's existence but I know you will indulge me in the desire, at the close of my tenure, to reaffirm some convictions that are in me, and I trust in you, too. In other words, I ask myself as I leave this post what I asked myself when I came to it: What are the purposes for which we as a group are joined together and do these purposes constitute a good useful foundation on which to build schools? Robert Hutchins once said that every time educators address themselves to the subject of education in America, "they urge one another to redouble their efforts and forget their aims." It is healthy to pause once in a while to remind ourselves of what the bustle is all about.

## WHAT VIEW OF THE CHILD?

When you are concerned with schooling and education you must begin, as do all sound philosophies of education, with the recipient of schooling, the child and the youth. As in everything else in education, you run into disagreements when you talk about the nature and needs of young people. If you take the mechanistic view of B. F. Skinner that they operate like Harvard-trained pigeons, your educational task is then to devise conditioning techniques that will draw forth the proper responses. You



can, of course, take a view that is almost the antithesis of Skinner's, one developed by some progressives, and neo-progressives such as A. S. Neill of Summerhill, a view that intimates that children are creatures but a little lower than the angels who will develop naturally towards grace and beauty if uncorrupted by adult restraint and adult insistence on training.

Although CBE has never drawn any hard doctrinal lines about these matters, I believe none of us could accept the child as either machine or angel or the school program as either conditioning or doing-your-own-thing. My view—and I make bold to extend that *my* to *our* view—is that two overlapping functions must be emphasized in schooling, the acquiring of basic skills and knowledge and the development of moral sensibility. The first of these functions can be organized into a program; the second is a matter not so much of program as of atmosphere.

It is difficult at times to get agreement among teachers and parents about basic skills and fundamental knowledge, but the difficulties are as nothing compared with the problem of getting people to agree about the role of the school in asserting moral and ethical standards. The reason, of course, is that moral standards are in a state of flux. In a simpler time, your right and wrong was apt to be your neighbor's right and wrong and there was even some sense of shared national values. All this is changing and the changed atmosphere percolates down into the schools. Some of the changes, especially on the level of personal and social behavior, may be shocking to the older generation but are themselves assertions of strong moral fervor and conviction. Our biggest problem here is not so much our disagreements but widespread indifference and cynicism about moral questions, perhaps brought on in part by disillusion with national political life during recent years. I believe that despite our disagreements in the moral realm there are some things the school can do to inculcate worthy values and in a moment I will make some suggestions. But first let me deal with what is undoubtedly the primary purpose of schooling; that is, with instruction, and what can and should be directly taught.

#### ESSENTIAL KNOWLEDGE

I have quoted to you before a remark of the educational historian I. L. Kandel which I consider a succinct and accurate definition of the purpose of the school. It is the place, he said, for "making the child literate in the essential fields of human knowledge." I know that learned doctors of education discuss and debate what is essential and claim there can be no agreement, and suggest that reading and writing is not everything and what about sex education, drug education, consumer education, driver education, and career education?

Fortunately, thoughtful parents and laymen and teachers, in manicured suburb or rough inner city, are less intimidated than are the educators by the complexities and sense what it is they want the schools to do for children. Certainly they don't want them to produce "The bookish blockhead ignorantly read, with loads of learned lumber in his head" (small chance of that, anyway) but they do want schools to provide for children those skills and that knowledge which enable them to handle their own self-education beyond the school. Parents and teachers do not always articulate it clearly and precisely, but the best of them do have some sense of what should be expected after twelve years of schooling.

They want children to read, not only because reading is the basis of most learning and is essential for vocation, but because it is a source of pleasure and consolation for a lifetime. They want them to learn to use the native language, in speech and writing, with at least a modicum of ease and ac-

curacy, and they believe that many students can benefit from learning a foreign language, or languages. They hope that all of them will achieve some facility in the fundamental arithmetical operations, and that many will achieve a facility in the topics of the higher mathematics and an understanding of mathematical thinking. They hope they will learn the facts of their country's history, have a chronological picture of that history, be acquainted with the political and philosophical principles underlying the American system of government, and eventually gain similar knowledge of other countries. They want them to have some notion of geographical location and a general knowledge of the science of the earth and its life and characteristics.

They want them to have at least some understanding of the physical and natural sciences. They hope that the school will awaken interest in art as expressed in literature, music, and painting so that the student will explore the limitless possibilities of these subjects on his own and throughout his life. In short, although they may not state it in these programmatic terms, they want young people to gain knowledge for their own use and pleasure.

The curriculum I have outlined is, I think, suggested in CBE's name—we are a council for *basic education*. This is the curriculum we referred to when we said in our original statement of aims that we are an "educational organization whose primary purpose is the strengthening of the basic subjects in American schools." In stating that purpose we did not make the unrealistic assumption that all can travel the road of education at the same pace or even that all will reach the final destination. But we did imply that there is a body of knowledge needed by everyone, knowledge that can in some degree be transmitted to all save those with severe mental retardation.

In stating these aims we were talking about the content of schooling and not about methods of teaching. While we all have our individual preferences, the Council has never had any inflexible notions about how to teach. If the teacher respects knowledge and respects students, if he or she is well prepared and has demonstrated ability to teach, it matters not if the methods are conventional and traditional or experimental and innovative. If youth and knowledge can be brought together in fruitful union it does not matter how the teacher ties the knot.

#### MORAL SENSIBILITY

Now let me turn to the school's role in developing moral sensibility. Moral and ethical education is, to paraphrase Robert Frost's remark about education in English, a slow process of just staying around in the right company. An atmosphere of moral affirmation is provided not by pious homilies on the part of the teacher but by the contagious example which every good teacher offers to his or her students. But this has to be an active contagion—the teacher is not merely a tractable monitor, a chaperone or moderator, whose function is to supervise young people while they operate their own trial-and-error system. We do not want teaching of morality to be indoctrination but I do think the teacher has to have some reasoned scale of values of his own, some governing purposes in his life that he tries to transmit to his students, partly through what he teaches.

And here, of course, comes the rub; here is where our raucous confrontations and bitter disagreements might suggest that many of our conflicts are irreconcilable and that the schools would do well to steer clear of moral affirmation entirely. But are the differences quite that intense? It seems to me that there are still many moral values that are widely shared throughout the civilized world and that we can find some common ground. Mil-

lions of people believe in affection, in friendship, in love of country, and millions of people want some governing purpose in their lives. Millions still believe that murder, cruelty, stealing, and dishonest dealing are wrong. It is true that there is not always agreement about these matters, but very often the disagreements arise not because we don't believe but because we think these values are being corrupted. When you enumerate them, you find that the area of agreement is large, that many things are held by many people to be intrinsically valuable or desirable and many things held to be reprehensible and undesirable.

It is true that if the teacher in the secular school attempts to inculcate his own values regarding such topics as politics, religion, and sex, he is going to disappoint and perhaps even infuriate students, to say nothing of their parents, who may have different values. Some time ago in the *Bulletin* I suggested that an answer to the dilemma of teaching values might be a modest program based on one value that most Americans probably still believe in, or at least pay lip service to—simple honesty. Let me repeat here some of the ideas I expressed in that article.

#### A POSSIBLE PROGRAM

There are many fraudulent or counterfeit aspects of our private and public lives that could be discussed in social studies classes. We could begin with examination of a common human frailty, the willingness of people who would not steal from each other to steal from the telephone company. We could go on to an examination of advertising and the claims made by manufacturers of cars, patent medicines, and household products—certainly an interesting classroom discussion could result from consideration of why Madison Avenue is convinced that the public will not buy good products on their merits but has to have them dressed up with preposterous and bogus claims. Another interesting discussion could center around the fraudulent practices, big and little, of television: canned applause; the re-enactment of public ceremonies for the benefit of late-arriving cameramen; the deliberate staging of events; public disturbances that are partially incited and directed by television crews seeking dramatic shots; the shameless cutting and editing of remarks to fit the format, and very often to bolster the opinions, of the producers of the show. We might also have some classroom discussion of the New Journalism; that is, of the advocacy role of some reporters and the tendency of some newspapers to move the editorial columns over to the news columns.

I suggested also in that *Bulletin* article that teachers might want to consider the Ambiguous Phrase as a device for distorting reality: "Students might be warned to be on the alert when anyone undertakes to tell them about 'the people,' what they 'do' or 'want' or 'have faith in.' They might examine such phrases in newspapers as 'some observers say,' which may only mean what the fellow in the next office said or refer to a remark made by the reporter's wife at breakfast. Another phrase worth examining is 'it is generally believed' (that is, it is the writer's passionate conviction that what he says is true)."

Students should also be taught to be wary of the unsubstantiated claim, not to accept on faith "what science says" or "what research shows us" or "it has been established." And of course a close examination of politicians' statements and promises and denials is a curriculum in itself, although here one runs into strong biases. Perhaps the safest thing to do is to limit oneself to dead politicians.

The pursuit of fraudulence and dishonesty comes easily to young people for they like nothing better than to hunt down "phoniness" although they often attach the

term to such things as decent social restraint and civilized manners.

It seems to me, then, that the school does have a role in exerting moral and ethical influence and leadership, a role that involves not conscious exhortation but contagious example. But at the hands of capable teachers it can go beyond that. Those moral and ethical values that approach universal acceptance in the society can be asserted and re-enforced through the curriculum, perhaps primarily in literature and social studies.

To repeat, looking back on my days with CBE, this is the way I have conceived of my role, and our role: that it is to alert the public to the overlapping functions of schooling, to the acquiring of fundamental skills and knowledge in an atmosphere of moral affirmation.

#### KNOWLEDGE PLUS VISION

I think it is appropriate to close with some quotations from Alfred North Whitehead's *The Aims of Education*, a book that has provided handy quotations for educational philosophers of all shades of opinion, which is a way of saying that the great mathematician-philosopher gets a little muddled at times and talks out of both sides of his mouth. But I have always remembered two things he said that seem relevant to basic education. One is this:

"What education has to impart is an intimate sense for the power of ideas, for the beauty of ideas, and for the structure of ideas, together with a particular body of knowledge which has a peculiar reference to the life of the being possessing it."

And the other thing he said is this.

"Moral education is impossible without the habitual vision of greatness."

Quotation number one relates to the first function of education as CBE sees it; that is, it suggests that schooling and education consist of bodies of knowledge and that that knowledge has personal significance for the learner. Quotation number two relates to the moral atmosphere which I have suggested is also an essential function of schooling. It may seem rather grand and utopian to relate moral education and visions of greatness to fourth-graders or high school juniors, but it seems to me the remark can be translated to mean that the best teaching aims not only at knowledge of the head but knowledge of the heart. "The habitual vision of greatness" is not easy, for youth or adult, but who is to deny that in our mean and tawdry world it is a worthy aim for all of us and that the earlier human beings are exposed to it the better off our world will be.

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#### SAFE DRINKING WATER ACT

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. PICKLE. Mr. Speaker, since it is not possible to put into the main body of the Record an extension that reflects a colloquy between two Members of Congress, I have met with Congressman

ROGERS and agreed upon some additional discussion to that he and I were having on the Safe Drinking Water Act.

Yesterday, the gentleman from Florida and I were discussing various points of this legislation, but before we could finish, my time expired. The remaining questions that I had were given to Congressman ROGERS, and he has provided answers.

This dialog represents an important part of the legislative history of this act, and I insert this material in the Record at this time:

#### SAFE DRINKING WATER ACT

Mr. PICKLE. Mr. Chairman, another section that I find troubling, is Section 1423(a) (1) p. 102. "Whenever the Administrator finds during a period during which a State has primary enforcement responsibility for underground water sources (within the meaning of section 1422(b)(3)) that any person who is subject to a requirement of an applicable underground injection control program in such State is violating such requirement."

What are the criteria here? Is this provision meant to be used whenever the Administrator wants to get around the State agency? I note on p. 103 the bill says that the Administrator can determine that the State abused its discretion in carrying out primary enforcement responsibility for underground water sources.

Mr. ROGERS. The answer to the gentleman's question appears clearly in the bill on page 103. Failure to take necessary steps to bring the system into compliance constitutes abuse of discretion.

Mr. PICKLE. Are we meaning to substitute the judgment of the Administrator for that of the state, or does the Administrator have in addition the burden of proving that the state abused its discretion rather than just arbitrarily finding that it abused its discretion?

Mr. ROGERS. The Environmental Protection Agency would have to determine that the state had abused its discretion by failing to take necessary steps. That finding would have to be demonstrated to the court in a civil action. Thus, the burden would fall on the Administrator.

Mr. PICKLE. Mr. Chairman, I thank you for clarifying the intent of Congress with regard to the authority we are giving the Administrator, but I have one further question and that concerns section 1431, Part D. Emergency Powers, p. 107.

Here the bill provides that "notwithstanding any other provision of the title, the Administrator, upon receipt of information that a contaminant which is present in or is likely to enter a public water system may present an imminent and substantial endangerment to the health of persons, and that appropriate State or local authorities have not acted to protect the health of such persons" he may take such action as he may deem necessary in order to protect the health of such persons and that if anyone does not comply with such he shall be punished by a fine of not more than \$5,000 per day of violation.

This is a pretty broad provisions, and I think it should be explained. Is it the intent of Congress that the Administrator is to use this section sparingly, and that there in fact exists imminent and substantial endangerment to the health of persons before it is invoked?

Mr. ROGERS. I would expect this provision to be used sparingly, because there are two requirements imposed on the Administrator before he can proceed. First, he must receive information that an imminent and substantial endangerment to health exists or may exist. Second, he must find that state or local authorities have not acted. However, it should be clear that if information

is presented to EPA that an imminent danger to public health exists, unless the information clearly is inaccurate, he should move very quickly to determine if local efforts are sufficient. And if the local efforts do not insure protection of the public, then it is the intent of the committee that he act expeditiously.

#### WHOLESALESALE PERTURBED OVER PRICE INDEX STATISTICS

HON. ROBERT McCCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. McCCLORY. Mr. Speaker, the serious inflation combined with the declining economic situation provides fertile ground for attacks against the business community—particularly, the segments of our private enterprise system which operate on a large scale.

American wholesalers have become victims of these attacks. Their dilemma is aggravated by the monthly reports from the Department of Labor which describe the level of wholesale prices, as related to the prior month and other earlier periods.

Mr. Speaker, it has come to my attention that the description of wholesale prices by the Bureau of Labor Statistics is inaccurate. The Wholesale Price Index is based not on wholesale prices, but on manufacturers' prices. A recent feature article by Edwin Darby, financial editor of the Chicago Sun-Times explains this dilemma, and indicates the injustice to wholesalers, resulting from the description of the Wholesale Price Index by the Bureau of Labor Statistics.

I am hoping that the Department of Labor can correct this injustice. A copy of Mr. Darby's article is attached for the edification of my colleagues:

#### WHOLESALESALE RILED OVER THAT INDEX

(By Edwin Darby)

Maybe you find it difficult to work up any sympathy for those businessmen known as wholesalers. But the wholesalers do feel unfairly put upon.

The wholesaler has never ranked high in American mythology. That's one reason most wholesalers prefer now to call themselves distributors. More commonly they've been called middlemen, a word that to most people immediately stimulates resentment and conjures up an image of an operator who mysteriously gets his hands on a product and slaps a handsome markup on the price tag before allowing the product to reach the retail market.

The truth of the matter is that the wholesalers perform a useful and necessary function: they distribute goods. The factory turns out 10 million units. Somehow 10 units have to get to the neighborhood store and 1,000 to the big department store. They have to get there on time, as ordered, and the stock has to be replenished as needed. Many a manufacturing corporation does the job itself but the function is the same.

Wholesalers have always had to live with the adverse middleman image. There's nothing new there even though wholesalers did come in for some extra licks this past year when everybody was trying to blame everybody else for high prices.

#### VIEW ON INDEX

What has them, or some of them, upset now is the succession of headlines through the year proclaiming "Wholesale prices zoom



again" (July) and "Wholesale prices rise only slightly" (September).

The stories of big and small increases, month after month, are all based on the Wholesale Price Index issued by the federal Bureau of Labor Statistics.

And says William Englehardt, executive vice president of the National Electronic Distributors Assn., the Wholesale Price Index does not report on wholesale prices but on manufacturers, not on the prices charged made up of prices paid by wholesalers to manufacturers, not on the prices charged retailers by wholesalers.

The name of the BLS index is not deliberately misleading. The dictionary definition of wholesale is sales in large quantity and manufacturers do sell at wholesale, in large quantity.

The BLS handbook that describes the methods of putting the index together is clear on the point.

"Wholesale as used in the title of the index," the handbook says, "refers to sales in large quantities, not price received by wholesalers, jobbers, or distributors."

Yet, Englehardt says, "Each month, consumer groups, labor leaders and anti-business politicians automatically point the finger of guilt at the wholesaler as the middleman who is responsible for the increase and claim he is profiteering by price gouging."

#### SEEK A CHANCE

The National Electronic Distributors Assn., has decided that something should be done about all this and it has started a national campaign to get the name of the index changed. Its 500 member organizations, distributors of electronic parts, components, hi-fi and television sets, have been urged to write congressmen and people in the executive branch from the President on down.

In addition, Englehardt has enlisted support for his campaign "to get this monkey off our backs" from the National Assn. of Wholesale Distributors. That's an association of specialty associations representing some 86 product lines.

It'll take an act of Congress to change the name of the price index, Englehardt says, because the index was first authorized by Congress. That was back in 1891. The index is the oldest continuous statistical series published by the Bureau of Labor Statistics and one of the oldest put out by the federal government. The first appeared in 1902. Originally, it was based on prices for about 250 items. Now more than 8,000 price quotations are included.

#### SPACE MEDICINE: LIFE SAVING SPINOFF

### HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. TEAGUE. Mr. Speaker, the summer issue of *Rendezvous* magazine, which is published by the Bell Aerospace Division, printed a most interesting article about the various techniques and equipment developed for our space effort that are now being used to save lives on earth.

The accomplishments in this field are astounding. The achievements in quadriplegic aids, respiratory diseases, surgery, cataract removal and heart disorders are almost beyond belief. We are reaping enormous profits from our space investment.

I commend the article to you, my colleagues and the general public.

The article follows:

#### SPACE MEDICINE: LIFE SAVING SPINOFF

Techniques and equipment originally developed for the United States' space program are being used today to help save and improve the lives of people throughout the world.

Of all the important "spinoffs" generated by space exploration, the space-related advances of modern medicine are probably doing the most to be of direct benefit to mankind.

The files of the National Aeronautics and Space Administration (NASA), contain many examples of how today's medical techniques are being advanced by space technology.

Primarily because of advances in miniaturization and sophisticated electronics, the field of medicine has put more NASA-developed technology to use than perhaps any other discipline.

#### RESPIRATORY DISEASES

A compact, fully automatic gas analyzer is a good example of such technology.

The gas analyzer measures the composition of air breathed in and exhaled from the lungs as an aid in monitoring pulmonary and cardiovascular activity in patients.

Oxygen, carbon dioxide, nitrogen, and additional gases are measured simultaneously, on a breath-to-breath basis. It affords prompt information on human respiratory and metabolic functions, previously unavailable or too time consuming to obtain.

In hospital intensive care units, the instrument can be used to monitor the breathing of acutely ill patients, signaling the need for changes in therapy more efficiently than previous methods.

In surgeries, the anesthesiologist can monitor the patient's progress, checking inhaled concentrations of anesthetic gas.

#### QUADRIPELEGIC AIDS

Patients who have lost use of their arms and legs are being aided by eye-operated switches, ultra-sensitive pressure devices, and devices operated by breath controls, which enable them to control environments in specially-equipped hospital rooms.

Pioneered at the Huntsville, Alabama Hospital, NASA-developed technology was used to equip a hospital room with various switches, controls, monitors and actuators needed for an environmental control system for handicapped persons.

Using the devices, an immobile patient can open and close doors and windows, control room temperature, change channels and control volume on a television set, change radio stations, dial a telephone, adjust the position of his bed, signal a nurse at a remote station, turn pages in a book, and perform various other tasks necessary for his comfort and convenience.

#### SURGERY

A germ-control and dust-purging technique originally used in production of spacecraft is being used to help surgeons lower the risk of infection in surgical procedures.

The technique uses portable equipment designed for the continuous removal of dust and germs from the surgical area. Equipment includes helmets that resemble those worn by astronauts and specially treated surgical garments that bacteria cannot penetrate.

The concept is based on techniques developed by NASA and the aerospace industry for sterile spacecraft assembly and self-contained life support systems.

The equipment is used during surgical procedures—such as hip joint replacements—in which large incisions must remain open for several hours. Such surgery requires highly antiseptic conditions to protect the patient from infection.

#### EYE CATARACT REMOVAL

An instrument for eye surgery designed to simplify the removal of cataracts has

been developed by NASA researchers working with an ophthalmologist.

The small, hand-held instrument uses a combination of high frequency vibrations with a small pumping mechanism to liquify and remove cataract and lens material. It has been tested successfully on animals.

At present, cataract surgery is a very delicate operation. It requires that a semi-circular incision be made over the lens of the eye. The incision is then stitched after the cataract and lens are removed. This procedure often takes up to an hour and patient convalescence lasts as long as six to eight weeks.

The new instrument makes only a small puncture in the eye and would minimize the problem of stitching in most cases. The instrument is about the size of an electric toothbrush and is small and light enough to be held in the hand. The tool can be manipulated easily by the surgeon during an operation.

#### CONGENITAL HEART DISORDERS

NASA and Vanderbilt University have adapted a welding inspection system for use in rapid x-ray diagnosis of tumors and examination of cardiovascular flow. The inspection system—a real time neutron radiography unit—has been combined with image intensification, video data processing and display and kinescope photographic recording systems to be used in studies of children suffering from congenital heart disorders.

The system is designed to be used in visualizing the size of the heart defect and measuring the amount of blood flow through anomalous channels. The information gained is expected to help doctors determine which patients should have operations and at what age.

#### RADIO PILL

NASA has developed a small radio transmitter pill which, when swallowed, can monitor deep body temperature by means of an FM receiver and associated electronics.

The miniaturized transmitter can detect very small variations in temperature in its passage through human alimentary tracts. Localized temperature rises may often reveal the presence of infections or other disorders, aiding doctors in their diagnoses.

The pill has been used to monitor persons in an environment simulating travel in a spacecraft. The advantage of the device is that it allows monitoring of body temperature continuously over a 24-hour period on a day-by-day basis, a task difficult to accomplish by methods presently available.

The pill transmitter, about the size of a vitamin capsule, can be swallowed. It is coated so it will not dissolve while passing through the digestive tract. That trip usually takes a minimum of two days, but can be as long as one week if a low residue diet is prescribed. Its advantage is that it requires no wires attached to the body surface, nor does it require conventional inserted instrumentation such as oral or rectal thermometers or a thermistor probe.

Since the pill is small and uses a very small battery, it does not have the power to transmit signals for long distances. It is used most easily in situations where the subject is confined such as a hospital.

The pill transmitter also can be used to record and transmit other internal data in humans. The temperature sensing unit could be replaced by a monitor sensitive to stomach acidity, intestinal pressure, or to specific chemicals in the gastro-intestinal tract.

With continued technological advances in miniaturization, engineers are confident that as many as five factors can eventually be measured simultaneously by a device no bigger than an aspirin tablet.

#### HEART DISEASE

Doctors can watch a movie of the beating of a patient's diseased heart—identifying

dead spots or scar tissue in the heart wall, aneurysms (bubble-like projections of the heart muscle) and other malfunctions—with a computer method devised by a NASA-Stanford University team.

The system is designed to improve on current complex diagnostic methods by providing a simple means of viewing the heart in action. Figuratively, it allows doctor to "walk around" the isolated beating heart, viewing it from any desired angle. They also can stop the display at any desired point of heart expansion or contraction and can play the picture back and forth for many cycles.

The system projects a three-dimensional animated cartoon-like image of any desired chamber of the patient's heart, in lines of light on a computer display screen, similar to a television screen. The display is derived from two-dimensional "x-ray movies" made by injecting x-ray contrast dye into a desired heart chamber.

It appears that the method may be a major advance for the physician to determine the patient's need for heart surgery, coronary artery grafts, and treatment of various heart conditions. Heart disease is the leading cause of death in the U.S.

#### HEART PACEMAKERS

Aerospace technology originally developed for rechargeable nickel-cadmium cells for spacecraft power systems is being directly applied to a NASA supported effort by the Johns Hopkins Applied Physics Laboratory to produce a rechargeable cardiac pacemaker that would eliminate the present requirement for surgical replacement of such devices when their batteries are depleted.

Currently nearly 90 per cent of the pacemakers using conventional mercury batteries must be replaced every 24 months due to battery failure. The wearer of a rechargeable unit would simply recharge his unit by donning a special vest for several hours.

The power cell is essentially a miniature version of cells used in virtually all U.S. spacecraft.

#### EMERGENCY CARE

Flexible electrodes based on equipment developed by NASA have been designed as significant components of emergency coronary care units which could be used by cardiac patients or emergency attendants to send electrocardiographic data gathered by the kit to physicians by telephone.

After examining the relayed EKG data, the doctor could direct the patient or attendant to administer appropriate medication carried in the kit.

The adapted NASA electrodes are made of a conducting elastomer and shaped like golf balls. They can quickly be placed under the armpits of a heart attack patient to provide an artifact-free EKG signal that can be relayed by telephone.

Other advanced medical devices to come out of the space program include an electroencephalograph helmet, an audiometric device to assist in diagnosing hearing defects in children, a powered prosthetic hand to help amputees, a portable light indicator for blind persons, an ear oximeter, a device which measures the blood's oxygen content by noting red and infrared light absorption in blood circulating through the ear, a sleep analyzer, and many others.

#### RESOLUTION

### HON. CHALMERS P. WYLIE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. WYLIE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

#### RESOLUTION COMMENDING "WOODY" HAYES AND HIS OHIO STATE UNIVERSITY FOOTBALL TEAM

Whereas college football is a tradition uniting millions of Americans in enjoyment;

Whereas college football provides an outlet of athletic achievement requiring the same attributes of courage, leadership, strategy, determination and resourcefulness demanded by excellence in any field;

Whereas the Ohio State University football team, led by its head coach Wayne "Woody" Hayes has, through a successful season, earned the right to represent the Big Ten Athletic Conference in the Rose Bowl game in Pasadena, California on New Year's day. Now, therefore, be it

Resolved, That Ohio State University and its football team be commended for exemplifying those qualities which have made our Nation great.

#### FOUNDERS DAY PROGRAM AT VMI

### HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. WHITEHURST. Mr. Speaker, on November 11, 1974, at the Founder's Day program at Virginia Military Institute, the Honorable Colgate W. Darden, Jr., was awarded the New Market Medal for distinguished service. Mr. Darden is a former Member of the U.S. House of Representatives, and he has also served as Governor of Virginia and president of the University of Virginia. He has had a long and distinguished career, and he is one of the few men I have ever met who could properly be termed statesman.

Following the receipt of this medal, Mr. Darden delivered a brief address. Because I believe that his words of wisdom have value for all of us, I am introducing his remarks at this point in the RECORD, so that all of my colleagues may have the benefit of his views:

VIRGINIA MILITARY INSTITUTE, NOVEMBER 11, 1974—FOUNDERS DAY

(Speech following award of new market medal)

It has been ten years since I was last here. I came to take part in exercises, as are these today, celebrating the founding of the distinguished institution which has rendered such memorable service to Virginia and the nation since its founding in 1839.

Many things have happened since that visit. Conditions in the world have altered substantially and the situation, insofar as our own country is concerned, is more difficult and dangerous than it was in 1964, and it was by no means easy then. It is about the responsibility of V. M. I. in the world of which we are a part that I want to talk to you briefly.

However, at the outset let me commend the Institute on the high quality of work which obtains here. This comes as no surprise to those who respect and admire V. M. I. It is what we expect. Yet I must confess it gives me a great thrill to see, in a world where so many frightening changes are taking place, that you have not yielded one whit in your dedication to excellence. Also I wish to record my profound gratitude for the award made me this morning. To those responsible for it I give my heartfelt thanks. The New Market Medal will remain always among my most cherished possessions, for I can never forget what that name means to

this institution and to the Commonwealth of Virginia. And I share with old Southampton County its pride in young James Darden who stood with the Corps at New Market and helped turn back Sigel's Veterans until twice wounded he was forced from the deadly fray.

I hope we shall never lose sight of the purpose that brought V. M. I. into being. It was organized to prepare young men to be good and useful citizens and to train them to be good soldiers in time of war, should such a misfortune befall us. No one who knows the Institute believes it has failed in either of these responsibilities. And if it remains steadfast in its adherence to the solid principles which have guided it in the past we can be sure that, in truth, "Past is Prologue" as is boldly set out on our National Archives Building, and that the brilliant light which plays upon the Institute's past will illumine and mark well the road for those who come after you.

Now a word about the responsibility to train young men to be good soldiers should war come, and concerning war itself. Edmund Burke, the noted English statesman of the eighteenth century, whose soaring genius left such a mark upon England, makes in his "A Vindication of Natural Society" such an overwhelming case against war that one wonders why the science should be taught at all or rather why an outraged human race has not abandoned such brutal and fruitless trials of strength.

One need not agree with Mr. Burke's observations concerning the deficiencies of organized or "political" governments to find himself appalled by his calculation of the fearful costs paid by innocent human beings as a result of interminable wars such as those that afflicted ancient Greece, Persia and Rome. Nor does he miss the fact, when he reads Burke's description of the religious wars of the 16th and 17th centuries, that war has changed hardly at all in its terror over two thousand years. When to these convulsions "which devoured whole cities and nations" are added "those wasting pestilences, those consuming famines and all those furies that follow in the train of war" to borrow his words, there can, I think, be no disagreement with his conclusion that war is mankind's greatest scourge. However, it was the following comment concerning the Greek wars that I found most impressive. "But these disputes ended as all such ever have done, and ever will do, in a real weakness of all parties; a momentary shadow and dream of power in someone; and the subjection of all to the yoke of a stranger who knew how to profit by their divisions."

This bleak and penetrating observation might well have been made about the first half of this century with its two world wars which were in truth civil wars that tore asunder western civilization and brought it so close to destruction. The question which haunts us all is what can we do about this threat that hangs over us? Certainly I am not wise enough to furnish an answer. However, I have reached a conclusion which may be of some value and I pass it on to you for what it is worth.

Like Mr. Burke, I regard war as the greatest scourge that has ever afflicted the human race, and with the new and terrible weapons now available I believe it has become a present and immediate threat to man's continued existence, so we must search unrelentingly for some plan that will prevent these recurring catastrophes.

Along with millions of others I left our armed services some months after the cessation of hostilities in 1918. I returned to civil life an enthusiastic believer in Mr. Wilson's plan for a League of Nations that would make future wars impossible. It was to be accomplished by the powers of the world combining in the cause of peace. Most of those who were mustered out shared this be-



He, especially those who had seen service abroad. It seemed so sensible and so simple. The world was sick and tired of blood letting and it was hard to believe, I might say impossible to believe, that there could be any doubt about the desirability of forging a concert of powers—victors and defeated alike, dedicated to keeping the peace.

I had seen something of the terror and waste of war, and along with others I believed it was not visionary to think it possible to prevent what had in truth been a descent into barbarism. That it was a descent into barbarism I knew at first hand because I had been with the French at Verdun in 1916, having left the University of Virginia and joined them in the summer of that year. I was a witness to the merciless human slaughter there. After our entry into the conflict I came home and with the Marines returned to Europe in the summer of 1918.

I remember as though it were yesterday the boundless idealism and enthusiasm for what was thought then to be a "war to end all wars." America was to have a hand in the remaking of the world. Future generations would not be marched into an inferno. No end of songs and poems proclaimed it to be so. And yet in the end there was abject failure.

The guns had hardly fallen silent before the victors fell to quarrelling among themselves. Within a year or two the disillusionment in the United States had reached such intensity that we turned away from our own plan and refused to ratify the Covenant creating the League of Nations. Mr. Wilson, struck down in his heroic efforts to rally support for it, passed from the scene, and without his leadership we turned away from the one organization that might have prevented World War Two. However, it was not until 1936 that it was brought home to most of us who supported it that it was in truth powerless. Mussolini's brutal assault on Ethiopia went unchallenged save by empty phrases. The dictators of Europe realized that their dream of world empire might become reality. Until then I had hoped, as had countless others, that some miracle might breathe new life into the League.

At first I felt a deep sense of betrayal, but after years of observing the difficulty of concerted action among the powers of the world, and more especially after serving as a Representative of the United States to the Tenth General Assembly of the United Nations and listening for hours to futile and utterly inconsequential debates by individuals who seemed, to me at least, more interested in forging coalitions for the next war than in laying firm and secure foundations for world peace, it was with deep sadness I concluded that any hope for effective machinery which would give us world peace was at best years away from realization. The implementation of the dream requires a more mature world civilization.

Although I have not changed my mind as to the need to continue the quest for some such machinery, I know now that the solution to this awesome problem will be long deferred. It is my thought that some form of collective action offers still the best hope. I do not believe that world government can be made to work. In fact it could not be established save by world conquest which involves what we are seeking to avoid. I am afraid the United Nations offers little real hope. It has shown with its greatly enlarged membership a marked disposition to impose unreasonable burdens upon the more advanced industrial nations. It appears bogged down in petty bickering and self-serving ventures. We witness a tug of war between the undeveloped and the developed nations rather than reasonable collaboration which is essential if the pressing problems overhanging us are to be solved, or even dealt with effectively. The structure of the present organization should be re-examined and if it cannot be revamped so as to bring about a reasonable balance between the members it

should be abandoned and some other plan devised. Meanwhile it is imperative that the United States remain strong militarily and resolute in its determination to protect her interests throughout the world. It is my deeply held belief that only the strong will remain free in the world in which we live. Nor, I regret to say, is this situation likely to change for many years to come.

Since I have arrived at this depressing and sad conclusion I shall close these remarks by reminding you that while you must never cease to work for some plan to insure world stability, you must not under any circumstances let slip from your hands the weapons needed to insure our survival. Consequently it is my hope that Virginia will continue to train her first rate military men just as she has done in the past. And I trust there will be no break in V.M.I.'s shining military tradition which flows in an unbroken line from "Stonewall" Jackson to the present hour. This tradition is the Institute's priceless heritage. The Corps must cherish it and guard it always.

#### QUESTION OF CONSTITUTIONALITY PLAGUES ISSUE OF LANDOWNER'S CONSENT

### HON. TENO RONCALIO

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. RONCALIO of Wyoming. Mr. Speaker, the Sheridan Press is carrying an indepth series on landowner consent in mining Federal coal deposits.

Because I believe the series is excellent and of sufficient importance, I am happy to enclose it, and I commend both Pat Stuart and Pete Fetsco in their efforts.

The article is as follows:

#### LANDOWNER'S CONSENT—CONSTITUTIONALITY QUESTION PLAGUES ISSUE (By Pete Fetsco)

(NOTE.—The issue of landowner's consent as it relates to strip-mining legislation will be renewed to a great extent this week as a U.S. Senate-House conference committee deliberates on strip-mining legislation. The consent issue in itself has led to differences from the federal level down to the local, across party lines and on a nationwide scale. In this series, Sheridan Press reporters Pat Stuart and Pete Fetsco will attempt to present, as fairly as possible, both sides of the issue.)

If the issue of landowner's consent has done nothing else in America, it has increased the number of Supreme Court justices from nine to well up in the thousands.

In any conversation concerning the topic, perhaps one of the favorite ploys of those opposed to the concept of landowner's consent—from U.S. Congressmen on down—has been to term the concept "unconstitutional."

Basically speaking, landowner's consent, as envisioned in the current confrontation over inclusion of the provision in strip-mining legislation, stipulates that when the surface is owned privately and the coal underneath is held by the federal government, that coal cannot be strip-mined without express consent from the surface owner.

The provision would not apply in the case of deep-mining. And although the U.S. Supreme Court is historically—if not necessarily accurately—charged with ruling on the constitutionality of things, the provision has been attacked outside that court as unconstitutional.

#### CLASHES TAKEN TO COURTS

The Supreme Court has not, to this date, been called to issue a ruling on the controversy. However, several clashes over landowner's consent—based on differing private-

ly-owned tracts of mineral rights and surface—have been through the mill in state courts.

And at least four decisions in this case have been hailed by proponents of landowner's consent as firm indication the provision is constitutional. Further, it is argued, these state rulings are entirely compatible with earlier legislative actions by Congress which, when the Homestead Acts and mineral separations bills were considered, envisioned only deep-mining—not any large move to strip-mines.

One of the earliest such cases was in West Virginia—the case of West Virginia and Pittsburgh Coal Co. vs. Strong.

In this ruling, "The West Virginia Court also explicitly rejected plaintiff's contention that ownership of the coal necessarily implies the right to remove it by strip-mining, even though other methods may not be feasible."

#### "BROAD-FORM DEED"

Part of what seemed to plague the situation for years was the "broad-form" deed. This came to be known as the Kentucky broad-form deed during a time in which Kentucky courts almost always sided with the mineral—not the surface—owner. Early in 1974 the Kentucky legislature made some movement toward recognizing surface owners, and their courts may regard what was apparently a broad, ambiguous form of deed in a somewhat different light.

A State Supreme Court decision in Pennsylvania in 1970, Stewart vs. Chernicky, attacked the question whether the coal company "had the right to remove the coal under the land involved by the strip-mining method without liability for injury to or destruction of the surface, regardless of who owned that surface, or was such removal to be limited to shaft or deep-mining?"

In a quote referring to that case, an Ohio court later noted, "Since strip-mining involves serious disruption of the surface estate, the Pennsylvania court held that the burden was upon the coal company to affirmatively show that the parties intended that the coal might be removed by methods other than deep-mining. A review of the language in the 1902 deed involved led the court to conclude that the 'right to mine and remove coal by deeds conveying land in language peculiarly applicable to underground mining does not include the right to remove such coal by strip-mining methods.'"

#### SKIZOLOCHI VS. EAST OHIO GAS

In the case of Skizolochi vs. East Ohio Gas Co. in 1974, the state appeals court there held that the company had not acquired the right to strip mine, but had acquired the rights for deep mining or drilling.

The court held that "Contracts are to be interpreted so as to carry out the intent of the parties, as that intent is evidenced by the contractual language; that the right to strip mine for coal is not implicit in the ownership of a severed mineral estate, and, finally, 'A deed which severs a mineral estate from a surface estate and which conveys the right to use the surface incident to mining coal in language peculiarly applicable to deep-mining techniques, does not grant the right to remove coal by strip-mining methods.'"

It was in this case that the Ohio court turned to an earlier Colorado ruling—Barker vs. Mintz—and noted, "To construe the 'right to use' as including the right to strip-mine would be to pervert the basic purpose of a principle designed to mutually accommodate the owner of the mineral estate and the owner of the surface estate separate properties."

Ohio continued that although strip-mining is a modern, technologically-sound method to provide the mineral owner "a fuller enjoyment of his property, yet we cannot ignore the additional fact that strip-mining, although similar to deep mining insofar as both represent a means to a legitimate end,

necessarily and unavoidably causes total disruption of the surface estate.

"Time-honored rules of law, meant to insure the mutual enjoyment of severed mineral and surface estates, cannot be blindly applied to resolve a question involving the right to strip-mine. This is true, not because those rules lack present vitality, but because they are dependent upon presumptions wholly irrelevant to strip-mining."

It is perhaps this last paragraph which sums up the further arguments on the part of those supporting landowner's consent. Present in most of the court rulings is the notice that the original deeds or documents involved were obviously aimed at deep-mining—which has a lesser effect on the surface than does strip-mining.

And this was, claim consent supporters, exactly the feelings of Congress when the mineral rights were originally separated from the surface ownership of homesteaded lands.

Congress knows, back at the turn of the century, that many of these homesteaded lands had coal. In 1909, during the 61st Congress in relation to HR 13907 in the House of Representatives, a report from the interior department entitled "Agricultural Entries on Coal Lands" appeared before the Committee on Public Lands.

#### COAL LAND CLASSIFICATION

This document, in part, attempted to classify coal lands. It is worthy of note that the references in terms of classifications dealt with depths of shafts only—deep-mining, in other words.

"The Interior Department is making classification not only to present . . . but to all coal lands, known to contain coal," said that study.

Landowner consent advocates contend, even further, that following Congresses indicated their understanding that the coal mining in question was deep-mining—and that agriculture and deep-mining could co-exist—a position held by several of the organizations deploring strip-mining today.

Before the 64th Congress, again from the Committee on Public Lands in April of 1916, came this statement: "The farmer-stockman is not seeking and does not desire the minerals, his experience and efforts being in the line of stockgrazing and farming, which operations can be carried on without being materially interfered with by the reservation of minerals and the prospecting for removal of same from the land."

Included in that report is a statement speaking of allowing rights for qualified persons to prospect and enter mineral deposits "under such restrictions as will prevent the destruction or injury of permanent improvements of the patentees."

Based on these and similar precedents, those individuals and organizations seeking what they consider the protection of landowner's consent feel that such a provision is far from unconstitutional.

It represents, instead, only the original thinking of the Congress of the United States when the entire mineral-landowner situation was established. As such, they feel, it should be reaffirmed by this current Congress.

**MRS. THELMA WILLIAMS' RESPONSE TO PROABORTION RECORD INSERT**

**HON. RICHARD H. ICHORD**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. ICHORD. Mr. Speaker, I recently received a letter from Mrs. Thelma Wil-

liams of Sunrise Beach, Mo., enclosing her response to an article on abortion which appeared in both the CONGRESSIONAL RECORD and the November 2 issue of the National Observer. Mrs. Williams took issue with the statements contained in this article and requested that I allow her the opportunity to respond by inserting her letter addressed to all Members of Congress in the CONGRESSIONAL RECORD. In response to Mrs. Williams' request, I insert her letter in the RECORD:

SUNRISE BEACH, MO.,

November 7, 1974.

DEAR MEMBER OF CONGRESS: I write as a result of a letter printed in the CONGRESSIONAL RECORD, and the "National Observer" newspaper. The subject is abortion. I wish to state my views.

I too, don't believe most of you realize the power you hold in your hands. It is incredible that in the United States, any man or woman, whether in a position of political prestige, or medical authority could consider they have the infinite wisdom to decide who should, or should not live to be born.

R.W.A., in the letter published by the National Observer, and introduced into the Congressional Record by Rep. Dellums has said that if you deny women the right to legal abortion you will produce Richard Specks, Charles Mansons, and battered, abused children.

Legal abortion, funded by our tax dollars, and backed by the Supreme Court, has already done this in the United States. The children are battered out of life itself within their mother's womb. The Richard Specks, and Charles Mansons now wear crisp white coats, work in antiseptic surroundings, and kill daily. They have no legal retribution to fear. In truth, if proper justice was meted to these professional killers, they would be imprisoned, as other known criminals are.

Rep. Dellums has cited R.W.A.'s letter as being a logical, and compassionate look at the abortion issue. I'm moved to question his own powers of logic, if he actually believes this. Her letter is, in fact, filled with contradictions, and far more emotion than logic.

Example: She states that the majority of Americans favor abortion. No reliable poll has been taken. Questions have been misleading, or slanted toward the abortion position. Even if a vote was taken which included every adult citizen, it wouldn't be valid, at this stage because far more objective education must be done before the average person could make a sound judgment.

The quality of life in Japan was cited as proof of permissive abortion's success there. Increasing reports of child abandonment, infanticide, guilt and mental problems are coming from that country. Doctors and sociologists are puzzled at why women with easy access to abortion are killing their children in these ways: (1) throwing them from moving trains, (2) leaving them to smother in train depot lockers, and (3) abandoning them alive. Anyone who has pondered the deeper questions of life, knows why. No nation can be saturated with an anti-family, anti-baby, "quality of life" mentality, and not eventually lose respect for all life. Germany's Nazi era looms as positive proof of this. Japan is not only a sad example to hold up for us to copy in the treatment of our children, born or unborn, it has enslaved, rather than freed it's women, in the matter of abortion. The salt-poisoning method was abandoned by that country only after years of proof of it's hazards to the health of their women. (America is now doing them.) The percentages of Japanese women suffering mental and physical complications hardly proves abortion to be superior to giving birth. R.W.A. says Japan has no unwanted children. Why then, is infanticide on the rise? I do not believe she has properly researched the facts.

As for Latin America, or any of the Third World countries, exploitation of the poor, by a minority of elite wealthy, has contributed more to the suffering and starvation of people than sheer numbers could do. This is also true in America. Local supermarkets discard boxes of food daily—cartons of bread browned a bit too much, produce kept at high prices until it spoils, etc. It is hardly logical to accuse the baby being born of unbalancing the universe. Greed is the culprit—not the baby.

I find very little substance in R.W.A.'s long epistle to Congress. The supposed compassion, which impressed Rep. Dellums is lacking when any person, male or female, will put a price tag on human life, and boast of the savings to taxpayers when abortions are performed. Certainly a dead baby doesn't have to be fed, given medical attention, or educated, but using this brand of compassion we can do many things. We can, as the abortionists claim, reduce mortality rates for children with defects. Naturally the child killed by abortion isn't going to die of anything else, not even a crash on the highway. Extending this "illogic", I can, if given the legal right, immediately reduce all cancer deaths in this country, by shooting the victims before they have time to die from cancer. Wouldn't this be humanitarian of me? I could save the taxpayers a great deal of money, but I submit that this is clearly unsound thinking, and far from compassionate. Yet, this is exactly the same type of rationalization applied to free-wheeling abortion.

Regarding women of poverty: If more are choosing abortion now, it is largely due to coercion. Society pressures the welfare mother to feel guilty at bearing new life. R.W.A. is a prime example, in citing the money saved for her and the rest of society when babies are aborted, rather than fed and cared for. Is this not making the poverty mother a whipped and beholden creature fearful of public censure if she bears another child? Compassion again?

Raising a child IS an awesome, though rewarding commitment. It is incredible only to those who make it so, or none of us would exist. Granted, many women do not have the maturity, maternal instinct, or lack of selfishness necessary to be a parent. But, they scarcely need to place their unwanted baby on your desk, Mr. Congressman. They have only to give it to one of the many pairs of open arms, waiting to adopt and love it.

The claim that abortion will lead to the killing of other helpless unwanted people—the old, ill, and retarded is quite valid. It is already happening, and being proposed for legalizing repeatedly in various state legislatures. R.W.A., again needs to further her research with facts, and not depend on her private prejudices and emotions.

The medical statements made by her are a hodgepodge of ignorance. Even pro-abortionists, including doctors, and biologists state clearly when conception occurs. There is no significant debate on this question. She contradicts herself by referring to the unborn as only a "potential human being" in one paragraph, then refers to it later as what it is—a child.

Her reference to the Catholic Church and it's teaching isn't worthy of comment. It is high time people who are anti-Catholic stop interpreting that faith in public. (And this includes those within it's ranks.) The term "devout" is habitually misused. R.W.A. obviously has an ignorant Catholic friend, but by no stretch of wild imagination could she properly be termed, "devout". If the two of them are sincere in seeking truth in these matters they should consult an authority in the church, such as Bishop Fulton Sheen, and stop being self-proclaimed experts.

It's interesting, though, that those who favor abortion, always get their ammunition from the same "dirty trick" bag when it



comes to religion. They pull out the same arsenal each time: The Pope, and the Catholic Church. This conveniently ignores other religious denominations who have important spokesmen firmly against abortion, as well as vast numbers of laity of all faiths. In fact, only someone who is in some way ignorant of scientific fact, or has a "name only" religious commitment can favor abortion. It is irrevocably incompatible with God's Commandment "Thou Shalt Not Kill".

Another interesting thing in R.W.A.'s letter is the mention of danger in birth control methods, but no mention of dangers from legal abortion. Dr. Tom Hilgers, OB-GYN, has written a book "Induced Abortion" which could show abortion minded women the price they can expect to pay for the supposedly safe, legal abortion. There are other doctors in vast number who agree.

What about that woman who is 42, has her children grown, has launched a career, and doesn't want a new baby? Or, the athlete who may not get the silver medal in an Olympic race if she's pregnant? If either care so little for their unborn child, they are willing to kill it, they shouldn't have emotional qualms at giving it to adoptive parents. Many activities can be pursued for most of a pregnancy. Allowing a baby to be born will require a matter of weeks, at most a few months of the woman's life to be "sacrificed." When you consider how little she loses in the span of her life, while the baby is asked to forfeit all, with no option for a re-run, the scale of justice is certainly weighted at a crazy angle, when tilted toward abortion.

The ambivalence in R.W.A.'s letter to Congress makes for confusion, not logic. Maybe some people are vindictive enough to want a pregnant woman to suffer for her sexual activity, but I doubt that many do. As for "punishment"—death from abortion, by suction, which tears the baby apart; curettage, which cuts it apart; the saline method, which both poisons and burns its skin away; and the hysterotomy which brings it out alive, to die slowly in a basin, can hardly be called "tender loving care". If done to an animal, in fact, the SPCA would scream correctly "Bloody Murder!" The mother, in all these cases, along with her doctor—NOT any Congressman, or Pro-lifer is inflicting the punishment.

The unborn human can be taught in the womb. (Proven by Dr. Liley, father of fetology.) It is extremely sensitive to pain, and has all the attributes of humanity that you or I do. It needs only time and nourishment to fulfill its unique position in this universe. It's a heartless insult, as well as a scientific lie to term it a fetus "with the intelligence and sensitivity of a fly" as R.W.A. has done.

Like her, I would like to have my last point cover the personal reasons I have for objecting to permissive abortion. I, too, have nothing to gain or lose for myself.

Patriotism is one motivation. I deplore the real prospect of watching my once great country, which has a past record for defending the helpless and oppressed, compound the violence of other wars, by declaring war on the unborn. Also, I question the dangers of stripping fathers, married or single of every right over the very life or death of their offspring, and placing total control in the hands of the mother, and the hired doctor. Injustices suffered by women at the hands of men will not be made right by such brutal retribution, any more than violence by Negro and Indian against the white man will correct past mistreatment.

Unlike R.W.A., I don't question my self-worth. My life (42 years) has been brimful, with joy and sorrow. Self-worth is a product of inner character and spiritual maturity. It doesn't hinge on the treatment, good or bad, which we receive. Aleksandr Solzhenitsyn is living proof of this. I do agree with R.W.A. that human beings are too precious to be

denied their freedom. This includes the unborn human's freedom to be born, rather than endure the slavery of death in the womb. I have concern too, for the medical personnel who have devoted their lives to healing and saving lives, and now contemplate ending their careers rather than become hired killers.

Mr. Congressman, I ask you to consider (Madelyn Murray, notwithstanding), that this is a nation under God. President Ford, upon being sworn in as our leader, called on us to pray for him, and all of you in government. In mentioning atheists, he said, "If there can be any, after what we've been through." The height of hypocrisy would be to pray to God for His divine guidance and protection, while plunging head on with the destruction of His little ones.

In summary, I repeat: My self-esteem is intact, because I know who I am and what I am. I am the person conceived in my Mother's womb. I am no different now than then, except that I was allowed to live, grow, and mature. This applies to all of us, including you, Mr. Congressman.

Think about that.

Thank you for reading this.

Most Respectfully,

Mrs. THELMA WILLIAMS.

## DARIUS JHABVALA

### HON. JOE MOAKLEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. MOAKLEY. Mr. Speaker, I wish to note, with deep sorrow, the death at 46 of Darius S. Jhabvala, Washington correspondent for the Boston Globe.

During his years with the Globe, and previously at the New York Herald Tribune, Mr. Jhabvala was one of our most able and distinguished diplomatic reporters. His passing is a serious loss to his profession and his Nation.

The Boston Globe of Wednesday, November 20, carried an obituary filed by his friends and colleagues in the paper's Washington Bureau. I wish to enter the article at this point in the Record:

[From the Boston Globe Nov. 20, 1974]

WASHINGTON.—Darius S. Jhabvala, diplomatic correspondent for The Boston Globe, died early yesterday at his home here of a heart attack. He was 46.

He was past president of the State Department Correspondents Assn. and was known among his colleagues and the diplomatic community worldwide for his wit, charm and knowledge of world affairs.

"Darius was Mr. Chips—lovable, fun to tease, but the guy we went to when we needed advice," said Richard Valeriani, NBC diplomatic correspondent. "He was easily the most popular guy in the State Dept. press corps."

In Tokyo Secretary of State Henry A. Kissinger said:

"I have just learned with shock and dismay the tragic news of the death of Darius Jhabvala."

"As past president of the State Dept. Correspondents Assn. and as one of the most regular of the regulars covering the department, I valued Darius as an outstanding journalist and as a friend."

"He will be missed not only for the highest professional standards he set for himself but also for the warmth and gentleness for which he was held in such high esteem by all of us in the Department."

"Darius was a great human being. We have all lost a unique friend."

United Nations Secretary General Kurt Waldheim issued the following statement:

"I was deeply shocked and grieved to hear of the sudden death of our friend and colleague, Darius S. Jhabvala. Over the years all of us in the United Nations, whether national representatives, Secretariat members or correspondents increasingly appreciated his exceptional gifts as a journalist, especially in the diplomatic field."

"I express my deep sympathy to his family in their cruel loss. We shall miss him greatly."

John Scali, U.S. representative to the United Nations and a former ABC diplomatic correspondent, said:

"Darius Jhabvala was one of the outstanding foreign policy reporters and analysts of our era. He was especially renowned for his ability to understand what was happening at the United Nations and skillfully relate it to the course of events in the world. His was a unique contribution. The world of journalism and diplomacy compassionate colleague," compassionate colleague.

A native of Bombay, Mr. Jhabvala came to this country after World War II and worked in the communications section of the United Nations from 1949 to 1954. He attended the Latin American School in Chicago and received a degree in diplomacy.

From 1956 to 1960 he worked as an assistant editor at Newsweek in New York. He then covered the United Nations for the old New York Herald Tribune until 1965, when he joined the Globe.

Mr. Jhabvala "grew up" with the United Nations, from working as a clerk in the organization's early days at Lake Success, N.Y., to last week, when he covered the controversial visit of Palestinian Liberation Organization leader Yassir Arafat.

After explaining the details and nuances of the impact of the Arafat speech to the UN General Assembly, Mr. Jhabvala concluded in his final news analysis in last Sunday's Globe: "He neither produced any new formula to settle the differences between Israel and her Arab neighbors through negotiations; nor was his rhetoric that of peace."

At the United Nations and at the State Dept., where he began to work for the Globe in 1970, Mr. Jhabvala's style of work combined long hours and enduring patience.

He usually worked seven days a week, ignoring the pleas of his editors that he take more time off. Returning from his recent Kissinger 17-day trip, Mr. Jhabvala at his own insistence spent but a single day in Washington before traveling to New York to cover the Arafat speech.

To the most obstinate "no-comment" diplomat, Mr. Jhabvala would return again and again in search of conversation and clarification. In his travels, he would be remembered for his soft British-colonial accent and his propensity for self-parody, calling people "Chappy," from ambassadors to copy boys.

At the Herald Tribune and at the Globe, Mr. Jhabvala's persistence paid off with a continuing series of exclusives involving American participation in the Vietnam war and other world developments.

One of Mr. Jhabvala's reports created a sensation in this country and drew attention worldwide. Mr. Jhabvala disclosed in the Herald Tribune on Aug. 8, 1965, that Hanoi, almost a year earlier, had accepted a proposal for unconditional peace talks and the United States had rejected it.

The proposal was made by a non-Communist Asian diplomat shortly after the Gulf of Tonkin crisis.

The United States spurned the proposal because it came during the 1964 presidential campaign and Lyndon B. Johnson felt that if word of peace talks had leaked out it would have damaged the Democratic campaign, Mr. Jhabvala reported.

Mr. Jhabvala also was the first reporter in the world to break the story that South Vietnamese troops, with close-in American air support, had invaded Laos in late January, 1971. With stories about the invasion by correspondents on the scene blocked by unprecedented U.S. censorship, he pieced an account together from sources here and told Globe readers what was going on days before the invasion was officially acknowledged. In another major exclusive, he reported one month ahead of the official announcement, that Canada would establish diplomatic relations with the People's Republic of China.

Mr. Jhabvala was also the first American correspondent to detail the maneuvers of the Soviet Navy in the Indian Ocean.

At the State Department and on the several trips of Secretary of State Kissinger, Mr. Jhabvala was father confessor to his fellow correspondents, as well as journalistic adviser, travel guide, occasional pharmacist ("Doc Darius" had a traveling medicine chest and was a frequent loser in "liar's poker," a favored card game).

It was not infrequent after a press conference for other reporters to buzz around, asking "Darius, what's the lead? What's the lead?" He usually told them, and shortly thereafter wire-service tickers and network baritones would echo authoritatively what he said.

On his last ride aboard the Kissinger whirlwind, a 33-day journey to world capitals, Mr. Jhabvala returned to his native country after a 27-year absence. As the plane approached the New Delhi airport, Kissinger wandered aft to joke with reporters and said, "All right you guys, where is my arrival statement?" (US-Indian relations have not been the most harmonious of late.)

"Mr. Secretary," Darius replied for the group of reporters, "I can't provide you with a statement, but I can provide you with an accent." Kissinger growled back in his German accent, "I can provide the accent myself. What I need is an arrival statement."

Kissinger, like most world diplomats, held a fondness and a respect for Mr. Jhabvala. The Secretary once gave his traveling companion an autographed poster, signed, "To Darius Jhabvala, the real Boston Brahmin. Henry Kissinger." The poster featured a grinning portrait and the caption, "Hi, I'm Henry! Fly me to Damascus."

Mr. Jhabvala was the Boston Globe's most traveled reporter, logging a quarter million miles to witness the quest for Vietnam peace at Paris, detente at the Moscow summits and in Peking and the shuttle diplomacy in the Middle East.

On Jan. 27, 1974, after a Kissinger trip to the Middle East, Mr. Jhabvala wrote of the "grueling path of peace" as diplomacy shuttled between the capitals of Israel and the Arab nations.

"In the absence of adequate diet and sleep, the nagging fatigue is offset by adrenalin. The body can stand a lot of punishment when it makes history or is witness to it being made."

In 1974 alone, Mr. Jhabvala made five trips out of the country, including three to the Middle East with Kissinger. One trip in April, May and early June logged 24,000 miles, comprising 41 shuttle flights in the Middle East that included 13 to Damascus and 17 to Jerusalem that caused the traveling press to nickname the Kissinger airplane "The Yo Yo Express."

The rigorous schedule was not at all new for Mr. Jhabvala. In 1973, he also had made three trips to the Middle East, Japan and at one point a six-part series on the plight of war victims and refugees throughout the region. In November that year, he logged another 24,000 miles with Kissinger in the Middle East, Japan and Red China.

His travels also took him in 1972 to Moscow for a summit meeting, Austria, Poland, and Geneva. He was present in Iceland for

a major US-Western Europe summit meeting and was on hand on several occasions in Paris for developments in the Vietnam peace talks. He also spent time covering former President Nixon at both Key Biscayne, Fla. and San Clemente, Calif.

Mr. Jhabvala wrote a weekly editorial page column for the Boston Globe, analyzing events that had shaped world history.

He was slight and seldom weighed more than 120 pounds, but joshed his heftier colleagues, saying "I bet you can't get your clothes at the boys' section at Brooks Brothers."

He leaves his wife, Sarica, whom he met in 1947 in New York when she worked for the Columbia University student newspapers.

He also leaves two sons, Murzban, 23, a graduate of the University of Rhode Island and Northwestern; and Jamasp, 20, a graduate of Antioch College; and two daughters, Tebmura, 18, and Kirman, 15, both students at Woodrow Wilson High School here.

## THE PLIGHT OF THE FARMER

### HON. E. G. SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 25, 1974

Mr. SHUSTER. Mr. Speaker, in light of the critical financial condition in which a great number of American farmers find themselves at present, I think the following article, entitled "The Plight of the Farmer," extracted from the November 21, 1974, edition of the Bedford County Press and written by Barb Ritchey, is both timely and appropriate:

#### THE PLIGHT OF THE FARMER

(By Barb Ritchey)

"There aren't many ways for the farmer to get along anymore besides increasing his agricultural debt or resorting to an off-farm income," according to Gerald Yoder, of RD 1, Woodbury.

With prices to the farmer for grain, transportation, and everything else going up the way they are while the prices he can sell his products at stay the same or go down, the farmer in Bedford County as well as in the entire United States is in trouble.

"Food is dirt cheap," Yoder, a state director of the Pennsylvania Farmers Association (PFA) and past local president of the county's chapter, said. "The people who have the problems with the price of food are the ones on a fixed income or who are retired or have a low income. Compared with teachers' salaries and those who get organized labor's wages, if food prices had gone up with wages, food would cost twice as much as it does. It's all relative."

Prices for beef have stayed the same since about 1946, while corn, for example, a necessary food for beef cattle, that had been priced at \$1.50 has risen to \$4.11 a bushel, according to Yoder. Farmers lose about \$140 a piece for cattle over and above what they get for the sale.

Even week old calves that had sold for \$80 to \$100 a piece a year ago are being sold at \$20 a head if the farmer is lucky, Donald Replogle, a RD 1, New Enterprise, another member of the PFA, said. Prices for the raising of these animals have doubled what they were a year ago, while the amount the farmer receives has gone down.

Only two or three years ago, a cow that was done milking could be sold for beef and the money used to buy four or five tons of soybeans to bring back for feed, according to Harry Wareham, a PFA member of RD 1, Everett. Now, however, the same cow could

not even buy a ton of soybeans. The same thing has happened to fertilizer, too.

Another alternative to the farmer besides the two mentioned before is for him to go out of business. If enough of farmers did go out of business, a food shortage would result. Even the ones that do weather the storm, however, have cut their herds drastically—to the point where if the income they receive should go up now, there would still be a shortage because it takes time to rebuild a herd.

"We used to keep 265 beef cattle and then it went down to 110, and now we have only four left, and two of these have been sold," Yoder said. "I know a man in Williamsburg who hasn't kept any cattle for three years."

It is a matter of priorities, he added. If things get to the point where food is scarce at any price, then people will have trouble eating their new colored television sets. People don't mind it when prices for products like television sets go up, but let milk go up one cent in the store, and they yell.

There are different soils in Bedford County with different productivity capabilities, and the southern end has steep slopes and its the harder part of the county to make a buck in, Yoder said, so these farmers will probably be the ones to go first. The farms up further in the county, though, will start going eventually.

If the farmer borrows from the bank to keep his farm going, then when he can not meet his payments, the bank will take his farm, and he will lose it anyway. "We'll see a few farms go this fall, but more will go by springtime," Wareham said. "Some farms always go in the fall, but in the spring, the farmers that are left will need to buy more supplies to keep going, and if they haven't paid for previous purchases, they won't be able to buy more."

"We have about \$400,000 in our farm like everyone else," Replogle said. "Most people have between \$200,000 and \$400,000 in their farms, and money is needed to keep them going."

"One solution is for the government to step in and subsidize the farmer," Replogle said. "It's all tied up in politics one way or the other anyway. I don't know how it got there, though. Now that elections are over maybe someone will do something."

If farmers start selling directly to the consumer and cut out all the middlemen, things might improve, he added. Everything that happens to the middleman affects the farmer. If sugar goes up, it costs more to make ice cream, and if transportation costs go up, the farmers have to pay more to get their goods to the buyer.

As mentioned before, off-farm income is a partial answer. Many wives of farmers work, and this brings in some money. If the farmers themselves leave their farms to work elsewhere, though, who will raise the food?

A new program for emergency loans has been set up because, in the beginning, of the beef situation. Now, however, farms with poultry and hogs besides beef have received aid. The government put out \$60 million, according to Yoder, and this money went to 421 such operations throughout the country. That is approximately \$142,000 per loan.

Cheap imports of beef come in and foul things up, according to Wareham. Countries like Australia are loaded with beef. There are not really enough dairy products in this country, however, but the imports of these products from countries like Holland have really hurt that market, too.

The two past administrations have been selling corn overseas and bringing dairy products in, and they just have not paid any attention to the problems of the dairy producer, he continued. They were hoping for a balance of trade, but the sad part is that in this country they have all sorts of federal and state inspectors while most of the imported products are not even touched.



This makes it even harder on the producer in the United States.

"A lot of the problems is between the cus-

tomers and the producer, too," Wareham added. "They don't really understand one another's problems."

Maybe Farm-City Week, designated for November 22 through November 28, will help the two understand each other better.

## HOUSE OF REPRESENTATIVES—Tuesday, November 26, 1974

The House met at 12 o'clock noon.

Rev. David A. Williams, assistant minister, St. John's Episcopal Church, Washington, D.C., offered the following prayer:

Almighty God, who has given into the hands of man the power to rule and govern; who has enabled men and women to create laws in human emulation of the laws you have created for the universe; grant unto us all wisdom, born of knowledge and hard won experience, to know and to do Your will. Where we find ourselves driven by self-interest, temper us with humility; where we find ourselves tortured by hard decisions that affect the lives of many people, help us to find a serenity of spirit in which to make these decisions; and where we have done well in Your service help us to feel the goodness of success and the sense that in harmony with You, we, too, can share in the continuing creation of this world. All this we ask of You, the Creator of the stars and Ruler of the universe, our Lord and our God. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 16901. An act making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1975, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 16901) entitled "An act making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1975, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McGEE, Mr. McCLELLAN, Mr. STENNIS, Mr. PROXMIER, Mr. ROBERT C. BYRD, Mr. BAYH, Mr. TALMADGE, Mr. FONG, Mr. HRUSKA, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2938. An act to implement the Federal responsibility for the care and education of the Indian people by improving the services

and facilities of Federal Indian health programs and encouraging maximum participation of Indians in such programs, and for other purposes.

### THE REVEREND DAVID A. WILLIAMS

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MONTGOMERY. Mr. Speaker, I take this opportunity to thank the Reverend David A. Williams, who serves as assistant parish minister for St. John's Church in Lafayette Square, Washington, D.C., for the opening prayer he has just offered.

I feel that it is very fitting to have a minister from the Church of the Presidents to invoke the blessings of the Almighty before we begin today's deliberations. St. John's Church was built in 1815 and has served the community since 1816. It is known as the Church of the Presidents because every Chief Executive since James Madison has worshipped there including Gerald Ford.

Reverend Williams came to St. John's in September 1973, after completing his doctorate at Andover-Newton Theological School in Newton-Centre, Mass. He worked in psychological and clinical studies.

Mr. Speaker, I am very pleased that Reverend Williams was able to be with us today and I am certain that my colleagues in the House share in that feeling.

### PERMISSION TO HAVE UNTIL MIDNIGHT, WEDNESDAY, NOVEMBER 27, 1974, TO FILE CONFERENCE REPORT ON H.R. 16900, SUPPLEMENTAL APPROPRIATIONS, 1975

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tomorrow night, Wednesday, November 27, 1974, to file a conference report on H.R. 16900, making supplemental appropriations for the fiscal year ending June 30, 1975, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

### PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE REPORT ON H.R. 17505, RESCINDING CERTAIN BUDGET AUTHORITY RECOMMENDED IN MESSAGES OF THE PRESIDENT

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a report to accompany the bill H.R. 17505, a bill to rescind certain budget authority recommended in the

messages of the President of September 20, 1974 (H. Doc. No. 93-361), October 4, 1974 (H. Doc. No. 93-365), and November 13, 1974 (H. Doc. No. 93-387), transmitted pursuant to section 1012 of the Impoundment Control Act of 1974.

Mr. CEDERBERG reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

### TO ADJUST PRICE SUPPORT FOR TOBACCO UNDER AGRICULTURAL ACT OF 1949

Mr. STUBBLEFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H.R. 17506, to adjust price support for tobacco under the Agricultural Act of 1949.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill as follows:

H.R. 17506

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106 of the Agricultural Act of 1949 is repealed.*

SEC. 2. Section 101(c) of the Agricultural Act of 1949 is amended by adding at the end thereof the following new sentence: "If acreage poundage or poundage farm marketing quotas are in effect under section 317 or 319 of the Agricultural Adjustment Act of 1938, as amended, (1) price support shall not be made available on tobacco marketed in excess of 110 per centum of the marketing quota (after adjustments) for the farm on which such tobacco was produced, and (2) for the purpose of price-support eligibility, tobacco carried over from one marketing year to another shall, when marketed, be considered tobacco of the then current crop."

Mr. STUBBLEFIELD. Mr. Speaker, I move to strike the last word.

### NEED FOR LEGISLATION

On February 20, 1960, the Agricultural Act of 1949 was amended so as to change the method of computing the support level for tobacco. The new method called for adjusting the support level paid for the 1959 crop according to the average index of prices paid by farmers for the 3 calendar years immediately preceding the calendar year in which the marketing year began.

Prior to the 1960 amendment, the level of support was 90 percent of the parity price.

Because of skyrocketing prices farmers are paying for the cost of their operations in the past 12 months, utilizing the 3-year average cost in determining support levels has resulted in the current support level falling to 60 percent of parity. Such